

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54021 of 2019

Arising Out of PS. Case No.-546 Year-2018 Thana- BAKHTIYARPUR District- Patna

Jalendhra Yadav @ Jalandhar Yadav, Aged about 30 years, Male, Son of Arjun
Yadav, Resident of Mishi, P.S.- Bakhtiyarpur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tilak Sao

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-08-2019 Heard both sides.

Petitioner apprehends his arrest in Bakhtiyarpur P.S.

Case No.546 of 2018, registered under Sections 30(a), (d), 34
and 36 of the Bihar Prohibition and Excise Act.

The informant got information of illegally selling
liquor by different persons in a lonely place and on such a raid
was conducted. The accused persons are alleged to have fled
away but country made liquor from different gallon was
recovered. The Chowkidar/Dafadar is said to have disclosed the
name of the petitioner and other accused persons.

Learned counsel for the petitioner submits that the
petitioner never indulged in trade of illicit liquor. There is
nothing on record to show that the petitioner was ever found
selling liquor. On the basis of the so called disclosure made by



Dafadar, the name of the petitioner figured but nothing has been recovered from conscious possession of the petitioner nor the house of the petitioner was searched.

Taking into consideration the facts aforesaid and the fact that nothing has been recovered from conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Bakhtiyarpur P.S. Case No.546 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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