

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55306 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- AURAI District- Muzaffarpur

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PHULTUN SINGH Son of Rameshwar Singh Resident of Village- and P.S.-
Aurai, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani
For the Opposite Party/s : Mr.Ram Bachan Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Aurai P.S. Case No.74 of 2019 registered under Sections
272 and 273 of the Indian Penal Code besides Section 30(a) of
the Bihar Prohibition of Excise Act, 2016.

The accusation is of recovery of 12 bottles, each
containing 750 ml. Indian Made Foreign Liquor, concealed in
straw, from adjacent to the wall of the house of the petitioner,
while the petitioner succeeded to flee away from his house.

Learned counsel for the petitioner submits that the
alleged recovery was not made from the house of the petitioner
rather the same was made from adjacent to the wall of the



petitioner. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Muzaffarpur, in connection with Aurai P.S. Case No.74 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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