

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53150 of 2019

Arising Out of PS. Case No.-206 Year-2019 Thana- DAUDNAGAR District- Aurangabad

Pawan Choudhary, Aged about 42 years, Male, S/o Kameshwar Chaudhary,
R/o village- Kisun Tola, Sansa, P.S.- Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-08-2019 Heard both sides.

Petitioner apprehends his arrest in Daudnagar P.S.
Case No.206 of 2019, registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

The informant, SHO of Daudnagar P.S., got
information that Lutan Yadav, Pappu Yadav and others were
selling liquor in the market and on such raid was conducted and
Lutan Yadav was apprehended. 24 bottles each containing 180
ml. liquor were recovered from possession of Lutan Yadav.
Lutan Yadav is said to have disclosed that Pawan Choudhary,
the petitioner had given him liquor to sell in the market. It is
alleged that from the house of Pappu Yadav also some liquor
was recovered.

Learned counsel for the petitioner submits that save



and except the disclosure made by Lutan Yadav, there is no material against the petitioner. Even the house of the petitioner has not been searched and nothing has been recovered from the conscious possession of the petitioner.

Taking into consideration the facts that the person who was found in possession of liquor is said to have disclosed the name of the petitioner as the person who had given liquor to Lutan Yadav and there is no other material to show the involvement 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 Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Daudnagar P.S. Case No.206 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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