

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55698 of 2019**

Arising Out of PS. Case No.-10 Year-2019 Thana- KATIHAR District- Katihar

MIRCHAIYA @ MD. SIDDQUE @ MD. SADIQUE S/o Md. Afhim R/o
Mohalla- Driver Tola, P.S.- Katihar Nagar, District- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr. Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 04-09-2019 Heard both sides.

The petitioner apprehends his arrest in Katihar Nagar
P.S. Case No.10 of 2019 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The police apprehended Suresh Yadav while he was
selling liquor and from his possession, two bottles each
containing 180 ml. of Officer's Choice Whiskey were
recovered. The apprehended accused disclosed that he and
others used to sell liquor of Deepak Jaiswal. Suresh Yadav also
disclosed that petitioner is also one of the persons who used to
sell liquor.

It is submitted that petitioner was neither apprehended
selling liquor but the name of the petitioner figured in the case
on the confessional statement of Suresh Yadav. There is no



material on record to show that petitioner indulged in trade of liquor.

Taking into consideration the facts aforesaid, let the 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 released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge, Excise Act, Katihar, District-Katihar in connection with Katihar Nagar P.S. Case No.10 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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