

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55719 of 2019

Arising Out of PS. Case No.-104 Year-2018 Thana- BYPASS District- Patna

ARBIND SAHNI Son of Surendra Kewat @ Satendra Kewat Resident of
Bahri Dhawalpura, P.S-Bypass, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-09-2019 Heard both sides.

The petitioner apprehends his arrest in Bypass P.S.
case No. 104 of 2018 registered under Section 30(a) of the Bihar
Prohibition & Excise Act.

The informant intercepted a Vikram auto rickshaw
bearing registration No. BR31E-2644 and recovered 160 liters
country made liquor of Mahua. A boy was found sitting in the
auto rickshaw who disclosed his name as Babloo. Babloo
disclosed that he was learning driving with Aniket Kumar,
driver of the vehicle. Babloo further disclosed that Aniket
Kumar purchased the liquor from Golu Baba of village
Rahimpur, P.S. Bidupur, District- Vaishali and he was going to
deliver the liquor to Guddu, Lakaria @ Baba, Pankaj Sahni,
Mehinka Paswan and Arbind Sahni, the petitioner.

The learned counsel for the petitioner submits that



house of the petitioner was searched but nothing has been recovered from the possession of the petitioner. It was Aniket Kumar, who was carrying the liquor on his tempo and no offence under Section 30(a) of the Excise Act is made against the petitioner.

Taking into consideration the facts that nothing has been recovered from the possession of the petitioner and name of the petitioner has been surfaced in the case on the basis of statement made by a boy that Aniket Kumar was going to deliver the liquor to the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to 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 learned Special Judge, Excise Act, Patna in connection with Bypass P.S. case No. 104 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

