

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57772 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- SAHPUR District- Bhojpur

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Dilip Tiwary @ Dilip Kumar Tiwary, Aged about 52 years, Male, S/o Late Bir Bahadur Tiwary R/o village- Barishwan, P.S.- Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-09-2019 Heard both sides.

The petitioner apprehends his arrest in Shahpur P.S. Case No.140 of 2019, giving rise to Excise Case No.1163 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant got information that Dharmendra Tiwary had kept liquor in his half built latrine and on such a raid was conducted. The informant alleged that while the informant was going to raid the place, 5-6 persons sitting in an orchard fled away. On search 154 bottles of Crazy Romeo Whiskey each containing 180 ml. were recovered from the latrine of Dharmendra Tiwary. The informant further alleged that a confidential information was received that the petitioner, Dilip Kumar Tiwary and others used to sell liquor in the village.



Learned counsel for the petitioner submits that there is nothing on record to show that the petitioner sells liquor in the village. Recovery was made from the house of Dharmendra Tiwary. Nothing has been recovered from possession of the petitioner.

Taking into consideration the fact that nothing has been recovered from 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 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur, Arrah in connection with Shahpur P.S. Case No.140 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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