

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58242 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- RAGHUNATHPUR District- Siwan

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Lalbabu Mahto, Aged about 35 years, Male, Son of Shivji Mahto, Resident of Village Usari Bujurg, P.S. Hasanpura, District Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-09-2019 Heard both sides.

The petitioner apprehends his arrest in Raghunathpur P.S. Case No.120 of 2019, under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

The police got inputs and on such a raid was conducted near a bridge situated 100 meters away from the house of Nagendra Yadav and 1296 litres of different brands of liquor was recovered. The police disclosed that on secret information it transpired that the petitioner and others had kept the liquor.

Learned counsel for the petitioner submits that there is absolutely no material to show that the petitioner had kept the liquor along with other accused persons near the bridge situated 100 meters away from the house of Nagendra Yadav. The



petitioner has got no criminal antecedent and petitioner has falsely been implicated in the case.

Taking into consideration the facts that on mere secret information, the name of the petitioner is surfaced in the case without any material that the petitioner is one of the owners of the liquor recovered near the house of Nagendra Yadav, 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 District & Sessions Judge, 2nd-cum-Special Judge (Excise), Siwan in connection with Raghunathpur P.S. Case No.120 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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