

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59577 of 2019

Arising Out of PS. Case No.-290 Year-2019 Thana- MAHUA District- Vaishali

RAM ISHWAR RAI Son of Late Gonaur Rai Resident of Village - Mahua
Singh Rai, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mahua P.S. Case No.290 of 2019 registered under Section
30(a) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty on
receiving the secret informant about storage of the liquor by
making circle through the bricks in front of the house of Ram
Ishwar Rai (petitioner) in village-Mahua Singh Rai, the
informant along with other police personnel reached there. On
seeing the police vehicle, 4-5 persons started to flee away in
different directions. While they were chased but succeeded to
flee away. On search, several bottles of different quantity, kept



in several cartoons, containing Indian Made Foreign Liquor, total in the quantity of 187.92 liters, were recovered from the bricks, collected in front of the house of the petitioner.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not present at his house at the time of alleged recovery and seizure and the place from where the alleged recovery is said to be made is far away from the house of the petitioner. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, 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 the Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, in connection with Mahua P.S. Case No.290 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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