

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58911 of 2019

Arising Out of PS. Case No.-130 Year-2019 Thana- RAJPUR District- Buxar

BIMLESH RAJBHAR S/o Gori Rajbhar R/o village- Tilkash, P.S.- Rajpur,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-09-2019 Heard both sides.

The petitioner apprehends his arrest in Rajpur P.S. case No. 130 of 2019 registered under Section 30(a) of the Bihar Prohibition & Excise Act.

The informant got information that petitioner had kept liquor in the house of Ram Niwas Chauhan. On such, a raid was conducted and 560 bottles, each containing 180 ML Rajdhani Gold whiskey, and 200 bottles, each containing 180 ML Crazy Romeo whiskey, were recovered from the house of Ram Niwas Chouhan.

The learned counsel for the petitioner submits that recovery was made from the house of Ram Niwas Choudhan. There is no material to show that petitioner had kept liquor in the house of Ram Niwas Chouhan. Save and except secret



information there is no material against the petitioner. The petitioner has got no criminal antecedent.

Taking into consideration the facts that nothing has been recovered from the conscious possession of the petitioner and recovery was made from the house of Ram Niwas Chouhan but the petitioner is made accused on the allegation that petitioner had kept liquor in the house of Ram Niwas Chouhan, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Buxar in connection with Rajpur P.S. case No. 130/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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