

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61348 of 2019

Arising Out of PS. Case No.-238 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

ASLAM MIYAN @ ASLAM MIYA, aged about 30 years, Male, S/o Late
Asarf Miyan @ Asraf Miya, R/o village- Ghataon @ Ghatawan, P.S.- Kudra,
District- Kaimur at Bhabua ... Petitioner

Versus

The State of Bihar ... Opposite Party/s

Appearance :

For the Petitioner : Mr. Rajani Kant Pandey, Adv.
For the Opposite Party : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Kudra P.S. Case No. 238 of 2019 for the offence alleged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, one
person was seen with a bag and on seeing the police party he
thrown the bag and fled away, but, he was identified by the local
people as Aslam Miyan (petitioner). On search of bag, found,
near the water tank, situated at Pusauli Bazar, 6 bottles, each
containing 180 ml Indian made foreign liquor recovered.

The submission of the learned counsel for the
petitioner is that it would appear from the first information
report that the petitioner was not apprehended on spot rather his
name has been disclosed by the villagers and local Chowkidar.



Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Kudra P.S. Case No. 238 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge IV-cum-Special Judge, Excise Act, Kaimur at Bhabhua, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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