

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64506 of 2019

Arising Out of PS. Case No.-495 Year-2018 Thana- NATHNAGAR District- Bhagalpur

Raju Kumar Sah @ Raj Kishor Sah @ Raju Sah Son of Late Kisto Sah
Resident of Mohalla- K. B. Lal Road, Police Station- Nathnagar, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with
Nathnagar P.S. Case No. 495 of 2018, registered under Section 30(A)/37©
of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information about
supplying of Indian made foreign liquor by the petitioner to different
customers near the ATM of State Bank of India in Mohallah- Manaskamna
Chouck, the informant along with other police personnel reached there. In
the meantime, one persons was seen coming towards the house of the
petitioner, Raju Kumar Sah and another person present in lane. On seeing
the police party, both persons started to flee away but on chase, both
persons were apprehended, who disclosed their names as, Ajit Kumar and
Subodh Mandal. On search, one bottle containing 375 ml of Indian made
foreign liquor was found from possession of Ajit Kumar and Subodh



Mandal and both persons disclosed the name of petitioner about selling of illicit liquor.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot rather his name has surfaced in the confessional statement of two co-accused, who are said to be apprehended with bottles of liquor. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Bhagalpur, in connection with Nathnagar P.S. Case No. 495 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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