

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64235 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- LAKHNAUR District- Madhubani

VISHWANATH RAM, Son of Ram Prasad Ram Resident of Village-
Parmesara, P.S.- Lakhnaur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar Jha

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Lakhanaur P.S. Case no. 167 of 2019, registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, informant and other Police personnel received information about concealing of liquor in village-Parmeshra by Ram Sundar Mahto, Keshav Safi, Vishwanath Ram (Petitioner) and Pappu Ram, the informant along with other Police personnel reached there. On seeing the Police party, three boys having bottles of liquor in their hands succeeded to flee away, but, one person was apprehended, who disclosed his name Ram Sundar



Mahto and on his identification, 45 bottles, each containing 375 ML Indian made foreign liquor recovered from the bush and he also disclosed the name of Keshav Safi, Pappu Ram and Vishwanath Ram (petitioner), who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name has been disclosed by Ram Sundar Mahto on whose instruction, the alleged liquor recovered from the bushes. The 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 four 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 Special Judge, Excise Act, Madhubani in connection with Lakhnaur P.S. Case No. 167 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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