

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65873 of 2019

Arising Out of PS. Case No.-438 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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APPU KUMAR Son of Kameshwar Mandal Resident of Village- Pakari,
Police Station- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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**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 Complaint Case No.C2-438 of 2019 registered under
Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the secret
information about doing the business of illicit liquor by the
petitioner, the informant being the Excise Official and other
staff reached in village-Pakri. While the petitioner succeeded to
flee away from there but, on search, 4 bottles of 750 ml. and 12
bottles of 180 ml. Indian Made Foreign Liquor were recovered
from the bush, situated behind the house of the petitioner.

Learned counsel for the petitioner submits that the



alleged recovery is said to be made from the bush situated behind the house of the petitioner and not from the house of the petitioner. The petitioner was not present there at the time of the alleged recovery. 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-Special Judge, Excise Act, Sitamarhi, in connection with Complaint Case No.C2-438 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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