

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74400 of 2018

Arising Out of PS. Case No.-349 Year-2018 Thana- KUDHNI District- Muzaffarpur

Vikash Kumar Rai @ Vikash Kumar Son of Satynarayan Rai, Resident of Village- Kerama, Kesrawan Dih Naya Tola, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-01-2019 Heard both sides.

The petitioner apprehends his arrest in Kudhani P.S.
Case No.349 of 2018 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The informant alleged that he got secret information during the course of patrolling that Vikash Kumar, the petitioner with the help of his friends, Ratan Kumar @ Bholu and Raj Kumar Thakur had kept country made foreign liquor and on such, from the orchard of the petitioner, 25 liters country made foreign liquor was recovered.

The learned counsel for the petitioner submits that liquor was recovered from the orchard of the petitioner and there is no material to show that the petitioner had kept the



liquor in his own orchard. Similarly situated co-accused Raj Kumar Thakur has been granted anticipatory bail.

Taking into consideration the fact that save and except suspicion that the petitioner had kept wine in his orchard, there is no material to show that the petitioner concealed wine in his orchard, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, 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 learned Special Judge, Excise, Muzaffarpur in connection with Kudhani P.S. Case No.349 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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