

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76961 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- RAJEPUR District- East Champaran

Naresh Prasad, Son of Satya Narayan Prasad, Resident of Village - Rajepur,
P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii

For the Opposite Party/s : Mr.Rajesh Kumar

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

ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Rajepur P.S. Case No. 120 of 2019, registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information about selling of illicit liquor by Naresh Prasad (petitioner) in village Rajepur, the informant along with other police personnel reached at the house of Naresh Prasad (petitioner). On seeing the police party, one person succeeded to flee away. On search, one gallon containing five litres country made liquor was recovered.



Learned counsel for the petitioner submits that it would appear from the FIR that petitioner was not apprehended at the spot, in fact, petitioner is not the owner nor the occupant of the house from where, the alleged country made liquor is said to be recovered. 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 Additional Sessions Judge-IX-cum-Special Judge, Excise, Motihari, East Champaran, in connection with Rajepur P.S. Case No. 120 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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