

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82202 of 2019

Arising Out of PS. Case No.-720 Year-2019 Thana- BUXAR District- Buxar

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BIRJU RAM S/o- Ramesh Ram Resident of Village- Khalashi Muhalla- P.S.-
Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshuman Singh, Advocate
		Mr. Ramakant Yadav, Advocate
For the Opposite Party/s :		Mr. Murli Dhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Buxar Town P.S. Case No. 720/2019, registered under Sections 30 (a), 37 (2) Bihar Prohibition and Excise (Amendment) Act 2018.

As per allegation in the F.I.R., on raid being conducted, 34.2 litres of foreign liquor is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no recovery was made in the house of the petitioner. The so-called recovery has been manufactured by the police. The petitioner is a small farmer and has no concern with the



aforesaid seizure, and the petitioner has no antecedent under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and in view of the above facts and circumstances stated hereinabove including the fact that the petitioner has no antecedents under the Bihar Prohibition and Excise Act, the Court is inclined to enlarge the petitioner on bail. The petitioner above named is directed to surrender in the Court below within a period of six weeks from today and in case of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-Cum-Special Judge of Excise Act at Buxar in connection with Buxar (T) P.S. Case No. 720/2019, subject the the condition as laid down under section 438 (2) of the Cr.P.C.

(Partha Sarthy, J)

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