

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82220 of 2019

Arising Out of PS. Case No.-325 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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PAPPU SAH @ PAPPU KUMAR @ PAPPU KUMAR SAH Son of
Bhrigunath Sah Resident of Village- Pokhara, P.S.- G.B. Nagar (Tarwara),
District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

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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 G.B. Nagar P.S. Case No. 325/2018, registered under
Sections 30 (a)/36/38/41 (i) of Bihar Prohibition and Excise
Act, 2016.

As per allegation in the F.I.R., three litres of Mahua
liquor is alleged to have been recovered from a motorcycle
when it is stated that the petitioner managed to escape from the
scene.

It is submitted by learned counsel for the petitioner
that the allegation is that the seized articles have been recovered
from a motorcycle and the motorcycle does not belong to the



petitioner. No incriminating article has been recovered from the person or possession of the petitioner and he has no criminal antecedent.

Having heard learned counsel for the parties, in view of the fact that the petitioner was not arrested at the spot and he has no criminal antecedent, 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, Excise, Siwan in connection with G.B. Nagar P.S. Case No. 325/18, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Partha Sarthy, J)

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