

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1393 of 2020

Arising Out of PS. Case No.-799 Year-2019 Thana- MADHAURAH District- Saran

SINGESHWAR RAI @ SINGESHWAR PRASAD S/O Shivnarayan Rai R/o-
Vill.- Silhauri, P.S. - Madhaurah, Dist. - Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar

For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 15-06-2020

Heard both sides.

The petitioner apprehends his arrest in Madhaurah P.S. case No.799/2019 registered under Section 30/ 30(a) of the Bihar Prohibition & Excise Act.

The A.S.I. of Madhaurah P.S. alleged that during the course of patrolling he got information that some foreign liquor were brought and kept concealed in village Silhauri, Purab Tola. When the informant went to verify the information and reached near the house of petitioner, two persons keeping sac and bag were found fleeing away. Both the persons were apprehended who disclosed their names as Ashok Mahto and Niraj Kumar and from their possession 10 bottles of foreign liquor was recovered. They disclosed that Singeshwar Rai, their guardian, had brought the liquor and handed over the same to them. On such information, the name of petitioner surfaced in the case.

The learned counsel for the petitioner submits that house of the petitioner was not searched. Nothing has been recovered from the possession of the petitioner. Nabin Rai and



Manish Rai have already been granted anticipatory bail and the case of petitioner stands on same footing.

It appears that name of the petitioner surfaced in the case from the disclosure made by the persons from whose possession 10 bottles foreign liquor was recovered. The house of the petitioner was not searched and nothing has been recovered from the possession of the petitioner.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Saran at Chapra in connection with Madhaurah P.S. case No.799/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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