

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5444 of 2020

Arising Out of PS. Case No.-439 Year-2019 Thana- ALOULI District- Khagaria

AVINASH KUMAR, aged about 27 years, Male, Son of Lalo Yadav @ Lalo Yadav, Resident of Village - Ladaura, P.S. - Alouli, District – Khagaria
... Petitioner

Versus

The State of Bihar
... Opposite Party

Appearance :

For the Petitioner : Mr. Praveen Kumar Agrawal, Adv.
For the Opposite Party : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-06-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state through video conferencing.

The petitioner seeks pre-arrest bail in connection with Alouli P.S. Case No. 439 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accusation is that in course of raid in the house of Rishideo Kumar in village Morkahi, 168 bottles, each containing 375 and 975 bottles, each containing 180 ml Indian made foreign liquor recovered. Rishideo Kumar also stated that the liquor is being supplied by this petitioner for sale.

Submission is that the petitioner was not apprehended on spot rather the name of this disclosed by co-accused, Rishideo Kumar, in his confessional statement before the police. Further, submission is that in fact, Alouli P.S. Case No. 36 of



2018 is instituted under Section 366/34 of the Indian Penal Code against the petitioner by the family members of co-accused, Rishideo Kumar, due to that reason, in the present case Rishideo Kumar has disclosed the name of the petitioner.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Alouli P.S. Case No. 439 of 2019 shall 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 Additional Sessions Judge II-cum-Special Judge, Excise, Khagaria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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