

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.82403 of 2019

Arising Out of PS. Case No.-358 Year-2019 Thana- PHULWARISHARIF District- Patna

ARVIND KUMAR, aged about 28 years, Male, Son of Vishun Dayal Rai @ Vishundev Rai, Resident of Village- Upharpura, P.S.- Phulwari Sharif, District- Patna ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary, Adv.

For the Opposite Party : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 09-06-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state thorough video conferencing.

The petitioner seeks pre-arrest bail in connection with Special Case No. 3671 of 2019 arising out of Phulwari Sharif P.S. Case No. 358 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about carrying the liquor in huge quantity by Arvind Kumar (petitioner), Ashish Rahane, Raj Kamal, Vinay Kumar, Santosh Kumar, Jitu Kumar and Pramod Kumar at Upharpur, the informant, along with other police personnel proceeded for there. On reaching at Upharpur, in the barren land of Santosh Kumar, situated in front of the house of Vinay Kumar, a truck was seen. On seeing the police party, the persons, present there, started to flee away, but, on chase three were apprehended, who disclosed their names Ashish Rahane, Raj Kamal and Vinay Kumar and they also disclosed the names of Santosh Kumar,



Arvind Kumar (petitioner), Pramod Kumar, Jitendra Rai and Jitu Kumar. On search, 13284 bottles, kept in several cartons in volume 4700.160 liters of Indian made foreign liquor recovered.

Submission is that the petitioner has no criminal antecedent and due to dirty village politics, the name of the petitioner has been disclosed by three co-accused, Ashish Rahane, Raj Kamal and Vinay Kumar, who were apprehended in running condition, near the seized truck.

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 Special Case No. 3671 of 2019 arising out of Phulwari Sharif P.S. Case No. 358 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 Special Judge, Excise Act, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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