

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32882 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- TILAUTHU District- Rohtas

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Jham Lal Yadav Son of Late Ghural Yadav @ Ghura Yadav Resident of
Village-Uttar Patti, Tilauthu, P.S. Tilauthu, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-03-2021 Heard both sides.

The petitioner apprehends his arrest in Tilauthu P.S.
Case No.66 of 2020 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The informant, while on patrolling duty, got
information that three persons named in the F.I.R. had brought
Mahua liquor from a boat at Jarhan Sone river ghat and they
were selling the same. The informant and others raided the place
but the accused persons managed to flee away. Choukidar is said
to have identified the petitioner and others.

The learned counsel for the petitioner submits that
petitioner has got no criminal antecedent. From perusal of the
seizure list, it would appear that 160 litres of Mahua liquor was
recovered from a lonely place situated by the side of Sone river.



The occurrence is said to have taken place at 8 in the night but the Choukidar claimed to have identified the petitioner and others.

It appears that recovery was made in the night and Choukidar claimed to have identified the petitioner when there is no source of identification. 160 litres of liquor was recovered from the ghat situated at Sone river.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Tilauthu P.S. Case No.66 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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