

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34406 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- MAIRWAN District- Siwan

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Kundan Rajbhar, aged about 25 years, Male, Son of Sharma Rajbhar,
Resident of Village - Pukhrera, P.S.- Mairwa, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-01-2021 Heard both sides.

The petitioner seeks bail in Mairwa P.S. Case No.81 of 2020, registered under Sections 30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise Act.

The intercepted a car bearing Registration No.HR-12-AJ-4117 and arrested one Aditya Kumar Pathak. On search, 16 litres of Indian made foreign liquor was recovered from the car of Aditya Kumar Pathak. On disclosure made by Aditya Kumar Pathak, two Wagon-R car were intercepted and from one Wagon-R, 436 litres of Indian made foreign liquor and country made liquor was recovered. From another Wagon-R bearing Registration No. UP-40B-9739, 495 litres of country made liquor was recovered. It is further alleged that Aditya Kumar Pathak disclosed that the recovered liquor belongs to Shiv



Kumar Yadav, Kalu Yadav, Kundan Rajbhar, the petitioner and Abhishek Yadav.

Learned counsel for the petitioner submits that save and except the disclosure made by Aditya Kumar Pathak, there is no material evidence to show that either the car or the liquor belongs to the petitioner. The petitioner is in jail since 20.08.2020. The petitioner has already remained in jail for about five months.

Considering the facts aforesaid, petitioner, namely, Kundan Rajbhar is directed to 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 the learned Additional District & Session Judge-IIInd-cum-Special Judge, Siwan in connection with Mairwa P.S. Case No.81 of 2020.

(Prabhat Kumar Jha, J)

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