

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34113 of 2020**

Arising Out of PS. Case No.-376 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

LAXMAN YADAV Son of Late Jiten Chaudhary R/o Village- Mahuari, P.S.-
Muffasil Siwan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 17-03-2021 Heard both sides.

The petitioner apprehends his arrest in Siwan Muffasil(Mahadeva) P.S. Case No.376 of 2020 registered under Sections 272 and 273 of the Indian Penal Code and under Section 30(a) of Bihar Prohibition and Excise Act.

The informant alleged that after having received information that the petitioner was selling liquor in front of the shop of Mogal Mistri, the informant raided the place but petitioner managed to flee away.

44 litres of country made liquor was recovered in front of the shop of Mogal Mistri but the petitioner has been named in the F.I.R. It is submitted that nobody has seen the petitioner selling liquor. Petitioner has got no criminal antecedent and at the instance of Choukidar, the petitioner has



been implicated in the case.

Taking into consideration the facts that recovery of liquor was made in front of the shop of Mogal Mistri and not from the conscious possession of the petitioner but name of the petitioner is mentioned in the F.I.R. on the basis of the identification made by the Choukidar, 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 Additional District and Sessions Judge(Excise), Siwan in connection with Siwan Muffasil(Mahadeva) P.S. Case No.376 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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