

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39270 of 2013

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Raghunath Prasad son of Late Ramsunder Prasad

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 24-12-2013

Heard learned counsels for the petitioner and
the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 47(a) of
the Excise Act.

154 litres of country made liquor was
recovered from the hutment of the petitioner.

It is submitted by learned counsel for the
petitioner that the hutment was outside the house, hence it can
not be treated to be from the possession of the petitioner. It is
further submitted that seizure was made on 15.12.2009 when
the prosecution report was transmitted to the learned Court
below on 19.12.2009.

The aforesaid facts constitute a ground for
consideration of regular bail, preferably on the same day, if the



petitioner surrenders within a period of six weeks in connection with Trial No. 1093 of 2013, arising out of Excise Case No. 55 of 2009, pending in the Court of learned Judicial Magistrate, 1st Class, Bettiah.

With the observations above, the application stands disposed off.

Let the order of this Court be transmitted through FAX to the learned Court below at the cost of the petitioner.

(Dinesh Kumar Singh, J)

Shageer/-