

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48839 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
AURANGABAD

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1. Pappu Kumar Singh S/o Vijay Singh resident of village - Sonbarsa, P.S. -
Obra, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

Allegation is of recovery 400 pouches (each containing
200 ML) country made liquor has been recovered outside the
house of the petitioner.

It has been submitted on behalf of the petitioner that
nothing has been recovered from the conscious possession of the
petitioner, rather the alleged country made liquor has been
recovered outside the house of the petitioner, for which he cannot
be held responsible. Learned counsel drawn my attention to
Annexure -1, of this petition, wherein it has been mentioned that



the said recovery has been made from the side of the house of the petitioner.

Heard learned A.P.P. also.

Having heard both sides and considering the fact and circumstances of the case and that the petitioner has no criminal antecedent, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period six weeks, 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 learned S.D.J.M., Daudnagar (Aurangabad) in connection with Excise Case No. 07 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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