

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50977 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -DAGARUA District- PURNIA

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1. Pradeep Sah Son of Sri Shyam Sah Resident of Village- Ganeshpur, P.S.
K. Nagar, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 273 of the Indian Penal Code and Section 47(a) of the Bihar Excise (Amendment) Act, 2016.

Fifty one litres foreign liquor was recovered from a tempo. The petitioner is said to be the owner of the said tempo that much is allegation against the petitioner.

Submission is that on the date of recovery i.e. 14.08.2016 possession of foreign liquor was not an offence and the recovery was not from the conscious possession of the petitioner.

Considering the aforesaid facts, let the petitioner,



above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 learned Sub-Judge-II-cum-Additional Chief Judicial Magistrate, Purnea/Successor Court in connection with Dagarua Police Station Case No. 88 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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