

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49732 of 2016

Arising out of P.S. Case No. - 109 Year - 2016 Thana - MAHNAR District – VAISHALI (HAJIPUR)

=====

Sunil Kumar @ Ganesh Rai, aged 45 years, S/o Sri Jimdar Rai, Resident of
Village Manikpatti, P.S. – Mahnar, District Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party : Mr. Sunil Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-01-2017 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) and 54 of the Bihar Excise Amendment Act, 2016.

On 28.08.2016 foreign liquor was, allegedly, recovered from the house of this petitioner.

Submission of the petitioner is that on the alleged date of occurrence possession of foreign liquor was no offence. Moreover, the recovery was not from the conscious possession of the petitioner and he having no criminal antecedent.

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 Additional Chief Judicial Magistrate-VI, Vaishali at Hajipur/Successor Court in connection with Mahnar Police Station Case No. 109 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

Kundan

U		T	
---	--	---	--

