

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65081 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Saharsa

Shambhu Yadav, Son of Late Sughan Yadav, Residents of Village
Gamahariya, Ward No. 8, P.S. Sourbazar & District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

It is alleged that from the house of the petitioner, two litres of country made liquor was recovered.

It is submitted by learned counsel for the petitioner that the said recovery has been made from the joint family house when the petitioner was not present in the house when the raid was made. It is further submitted that the seizure list does not contain the signature of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made



from the house of the petitioner.

Considering the quantity of recovery, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise Act) -cum- Additional Sessions Judge-II, Saharsa in connection with Special (Excise) Case No. 358 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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