

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13550 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- ARARIA District- Araria

Rohit Singh S/o Shivendra Narayan Singh R/o Pratap Nagar, Gangjala Ward
No. 16, P.S.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-04-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a), 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on 22.01.2018, on a secret information that huge quantity of illicit liquor is being transported through two cars, raid was laid and four accused persons were apprehended and from both cars, total 104 litres of Indian Made Foreign Liquor were recovered. One of the apprehended co-accused persons disclosed that the seized illicit liquor belongs to the petitioner.

It is submitted by learned counsel for the petitioner that admittedly, recovery has not been made from the conscious



physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is also accused in two other cases, in which he is on bail.

Learned APP submits that the name of the petitioner sprang up on the statement of one of the apprehended co-accused persons.

Considering the fact that the prosecution case does not suggests that the recovery has been made from the conscious physical possession of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned 2nd Addl. Sessions Judge, Araria in connection with Araria P.S. Case No. 31 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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