

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4559 of 2019

Arising Out of PS. Case No.-416 Year-2016 Thana- FATUA District- Patna

Pradip Kumar Verma @ P.K. Verma, aged about 61 years, male, Son of Sri R.P. Verma, Resident of behind Vivekanand School, Mithapur- B Area, P.S.- Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Singh

For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 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, 37 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the written report of Sujit Kumar, being the S.I.-cum-S.H.O., of Fatuha Police Station 29.10.2016, submitted to the learned J.M., 1st Class, Patna City is to the effect that on the same day, at 12 P.M., the informant received a secret information that using the passage of M/s Precision Engineering Corporation, the premises of M/s Durga Pulse Industries is being used for storage of illegal liquor,



whereupon, raid was laid in the premises of M/s Precision Engineering Corporation and from there, one empty bottle and one bottle filled with 200 M.L. illicit liquor were recovered. The raid was also laid in M/s Durga Pulse Industries, from where 12 bottles, each containing 750 M.L., illicit liquor were recovered. It is alleged against the petitioner that he is the owner of M/s Precision Engineering Corporation.

It is submitted by learned counsel for the petitioner that the petitioner is an old person. The petitioner use to reside at Bangalore. Moreover, from the premises of M/s Precision Engineering Corporation, only two bottles were recovered, out of which, one bottle was found empty. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery of illicit liquor has been made from the premises of the petitioner.

Considering the fact that prosecution report does not suggest that recovery has been made from the conscious physical possession of the petitioner, coupled with the statement made in paragraph no.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/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 Special Judge, Excise, Patna in connection with Spl. Case No. 916 of 2017 (arising out of Fatuha P.S. Case No. 416 of 2016) 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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