

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8660 of 2019

Arising Out of PS. Case No.-375 Year-2018 Thana- TEGHRHA District- Begusarai

Ramashray Singh, male, age 34 years, Son of Kedar Singh, Resident of Village-Madhurapur, Purwari tola, P.S-Teghra, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 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) and 30(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the FIR is to the effect that the informant, being A.S.I., of Teghra Police Station, received a secret information, whereupon a raid was laid, when after seeing the police personnel, 8-10 persons, after throwing a cartoon, fled away from the scene. From the cartoon, 414 litres of illicit foreign liquor were recovered. Subsequently, the nearby people and local Chaukidar disclosed the name of certain persons including the petitioner who escaped from the scene.

It is submitted by learned counsel for the petitioner that



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 not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the statement of nearby people and local Chaukidar.

Considering the fact that the accusation does not suggest that recovery being made from the 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 Additional Sessions Judge-II-cum-Special Judge, Excise Court, Begusarai in connection with Teghra P.S. Case No.375 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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