

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7226 of 2019

Arising Out of PS. Case No.-597 Year-2018 Thana- SAUR BAZAR District- Saharsa

Awadhesh Yadav @ Ashiki Kumar Son of Chunchun Yadav @ Abhay Kumar
Resident of Village- Ajgeba, P.S. - Sour Bazar, District – Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-02-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sour Bazar P.S. Case No. 597 of 2018 (Spl. Excise Case No. 561 of 2018) dated 27.10.2018 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3.75 litres of liquor is said to have been recovered from behind the toilet room of the house of the petitioner.

Learned counsel for the petitioner has submitted that such recovery was not from his constructive possession as the recovery has not been made from inside any enclosure. The petitioner does not have any criminal antecedent.



For the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge (Excise), Saharsa in connection with Sour Bazar P.S. Case No. 597 of 2018 (Spl. Excise Case No. 561 of 2018), subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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