

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8267 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- VIDYAPATINAGAR District-
Samastipur

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Pramod Thakur, Male, aged about 36 years, S/O Sitaram Thakur, Resident of
Village- Mau Bazar, P.S.- Vidyapati Nagar, District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 272 and 273 of the
IPC and Sections 30(a) and 37(D) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case is that from the safety tank situated
behind the house of the petitioner, 18.39 litres of illicit foreign



liquor were recovered.

It is submitted by learned counsel for the petitioner that recovery has not been made from the conscious physical possession of the petitioner. In fact, the recovery has been made from an open area. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by the learned APP for the State that the recovery has been made from safety tank situated outside the house of the petitioner.

Considering the fact that the recovery has been made from the safety tank, situated outside the house of the petitioner, coupled with the statement being 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-III-cum-Special Judge (Excise), Samastipur** in connection with **Vidyapatnagar P.S. Case No.108 of 2018**, subject to the condition as laid down under Section 438(2) of



the Cr. P.C.

(Dinesh Kumar Singh, J)

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