

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12144 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- MUSAHARI District- Muzaffarpur

Dwarika Sah, Son of Ramashish Sah Resident of Village - Nayagaon, P.S.-
Mushahari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-02-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Mushahari P.S. Case No. 01 of 2019 dated 01.01.2019 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and under Section 30(A) 36/38 of the Bihar Prohibition and Excise Act.

Six litres of liquor is said to have been recovered from beneath of a mobile tower where the petitioner was said to be working in the past. The petitioner was also seen running away by seeing police party when they had gone to apprehend him.

Learned counsel for the petitioner submits that there is no recovery from the possession/constructive



possession of the petitioner. The place from where the liquor is said to have been recovered is an open space without any enclosure.

The petitioner does not have any criminal antecedents.

Considering the aforestated facts, the petitioner above named 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 Special Judge Excise, Muzaffarpur in connection with Mushahari P.S. Case No. 01 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

