

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21737 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- ARA NAGAR District- Bhojpur

SANTOSH KUMAR SINGH @ SANTOSH KUMAR Son of Gupteshwar
Mahto Resident of Village- Begampur, Police Station- Ara Nagar, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-04-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on seeing the police, the petitioner escaped from the scene while throwing a box. It is alleged that from the said box, 3 litres of Indian Made Foreign liquor was recovered.

It is submitted by learned counsel for the petitioner that even assuming the prosecution case to be true, no recovery has been made from the conscious physical possession of the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP submits that the petitioner threw the box and escaped from the scene and from the thrown box recovery of liquor was made.

Considering the fact that no material suggesting recovery from the conscious physical possession of the petitioner has been collected, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-IV, Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 41 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

