

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19475 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Rajeev Yadav, Son of Milan Yadav, Resident of Village - Kumbhi, P.S.-
Cheriya Bariyarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Kumar
For the Opposite Party/s : Mrs.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

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

It is alleged that four litres of illicit country made
liquor along with other articles used for preparing the liquor was
recovered from the poultry farm of the petitioner.

It is submitted by learned counsel for the petitioner
that the recovery cannot be treated from the conscious physical
possession of the petitioner.

Learned APP submits that the recovery has been made
from the poultry farm of the petitioner and he is named in the



FIR.

Considering the nature of recovery from the poultry farm of the petitioner, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Cheriya Bariyapur P.S. Case No. 162 of 2018, pending in the Court of learned Special Judge, Excise Act, Begusarai.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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