

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18842 of 2019

Arising Out of Complaint Case No.-47 Year-2019 District- Saharsa

Photo Ray, aged about 51 year, Gender-Male, S/o Achutanand Ray, resident of village – Mahishi, P.S. - Mahishi, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Shankar Choudhary

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-03-2019 Heard the learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Special Case No. 47 of 2019 dated 20.01.2019 in which cognizance has been taken under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 of the Indian Penal Code.

6.3 litres of liquor is said to have been recovered from a thatched house standing over a government land which is said to be of the petitioner.

Learned counsel for the petitioner has submitted that the thatched house is accessible to anyone and there is



door in the aforesaid house. The place from where recovery is said to have been made is accessible to all and sundry as it stands on a government land. Thus, the recovery cannot be said to be from the possession of the petitioner.

The petitioner does not have any criminal antecedents.

For the aforesaid 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, Saharsa in connection with Special Case No. 47 of 2019 dated 20.01.2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

