

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73257 of 2018

Arising Out of PS. Case No.-335 Year-2018 Thana- GAIGHAT District- Muzaffarpur

Gonaur Ram, Son of Manicharan Ram, Resident of Village- Gayghat, P.S.
Gayghat, Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumari Sujata Sinha

For the Respondent/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 15-01-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 320(a) of the Bihar Excise and Prohibition Act, 2016.

The prosecution case as per the written report of ASI Devnandan Prasad submitted to SHO Gaighat Police Station is to the effect that on 08.10.2018 during patrolling duty he received secret information that delivery of illicit liquor was being conducted from the house of the petitioner. Subsequently,



raid was led, and on seeing the police, several persons started fleeing away from the house of petitioner. Three persons were apprehended, namely, Ramesh Sahani, Dharam Kumar and Mukesh Ram and from their possession total 1.305 liters of foreign liquor was recovered.

It is submitted by learned counsel for the petitioner the recovery has not been made from the conscious physical possession of the petitioner or from the house of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the accusation suggesting that recovery has been made from the apprehended co-accused persons, coupled with statement 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 or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond 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 **Gayghat P.S. Case**



No. 335 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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