

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21056 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Chandan Kumar, Son of Suresh Prasad @ Suresh Kumar Sah, Resident of
Mohalla- Nazeerpur, Mahavir Asthan, P.S.- Town, District- Muzaffarpur, At
present Gola Bandh Road V.T. Children School Gali, P.S.- Muzaffarpur
(Town), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2019 Heard learned counsels for the parties.

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

The prosecution case is that from the possession of the
petitioner, about 20.520 litres of Indian Made Foreign Liquor
were recovered.

It is submitted by learned counsel for the petitioner that
the recovery has been made from the joint family house of the
petitioner. A statement has been made in paragraph no.3 of the
petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been made from



the conscious physical possession of the petitioner.

Considering the fact that recovery has been made from the joint family house of the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner in connection with **Town P.S. Case No.112 of 2019** pending in the Court of learned **Special Judge, Excise Act, Muzaffarpur**.

However, it is a case for consideration of regular bail of the petitioner by learned Court below, if he surrenders before the learned Court below, within a period of six weeks.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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