

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79286 of 2018

Arising Out of PS. Case No.-317 Year-2018 Thana- MIRGANJ District- Gopalganj

Shankar Singh @ Shankar Rai Son of Late Ramdaud Singh Resident of
Village-Singaha, Tola- Panditpura, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr.Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-01-2019 The petitioner seeks bail in anticipation of his arrest in connection with Mirganj P.S. Case No. 317 of 2018 dated 09.11.2018 instituted for the offences under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

A very small quantity viz. 915 ML litres of liquor is said to have been recovered from in front of a cattle shed of the petitioner.

The learned counsel for the petitioner submits that the place of recovery is not surrounded by any enclosure and hence the petitioner cannot be said to be in constructive possession of the recovered liquor.



Regard being had to the aforesaid facts as also taking into account the clean antecedents, the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge(Excise), Gopalganj in connection with Mirganj P.S. Case No. 317 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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