

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21687 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- AANDAR District- Siwan

Sandeep Yadav, Son of Late Tapesar Yadav, Resident of Village - Mian Ke Bhatkan, P.S.- Andar, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Mr. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-04-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

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

The prosecution case is that from the cattle shed of the petitioner, 57.600 litres of country made liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the conscious physical possession of the petitioner rather it has been made from the open area. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that recovery has been made from the cattle shed of the petitioner.



Considering the fact that the recovery has been made from the open area, 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 **ADJ-II-cum-Special Judge Excise, Siwan** in connection with **Aandar P.S. Case No.32 of 2019**, 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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