

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29881 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- RAJNAGAR District- Madhubani

UPENDRA DHANKAR @ UPENDRA MALLICK Son of Late Subhansh
Dhankar Resident of Village - Kasiauta, P.S.- Rajnagar, Dist.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subroteswar De
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-05-2019 Heard both sides.

The petitioner apprehends his arrest in Rajnagar P.S.
case No. 58 of 2019 registered under Section 272, 273 of the
IPC and u/s 30(a) of Bihar Prohibition & Excise Act.

The informant disclosed that he got secret information
that Chhedi Dhankar, Naresh Mallick and Upendra Dhankar, the
petitioner, had brought some Nepali liquor and kept the same in
the field situated behind the house of Chhedi Dhankar. On such
information raid was conducted and from the field situated
behind the house of Chhedi Dhankar 73 liters of Nepali liquor
was recovered.

The learned counsel for the petitioner submits that
petitioner had not kept any liquor in the field situated behind the
house of Chhedi Dhankar. Chhedi Dhankar from whose field



liquor was recovered has already been granted anticipatory bail vide order dated 17.04.2019 passed in Cr. Misc. No. 24756 of 2019. The case of petitioner stands on better footing as nothing has been recovered either from conscious or constructive possession of the petitioner.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. case No. 58 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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