

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27000 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

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TRIPURARI SINGH Son of Ajay Singh Resident of Village - Gulab Patty,
P.S.- Sahebganj, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 29-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sahebganj P.S. Case No. 67 of 2019, registered for the offences punishable under Sections 272/273 of the Indian Penal Code and Section 30 (A)/36/38 (II) of the Bihar Prohibition and Excise Act, 2016..

28.14 liters of foreign liquor is said to have been recovered from behind the house of the petitioner which is said to have kept there by the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no



concern with the seized liquor or the place of occurrence. Place of recovery is an open place and easily accessible to all, hence no offence under Excise Act is made out against the petitioner.

On the other hand, learned A.P.P. for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Act, Muzaffarpur in connection with Sahebganj P.S. Case No.67 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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