

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74285 of 2018

Arising Out of PS. Case No.-268 Year-2018 Thana- BAKHARI District- Begusarai

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Taj Ali @ Md. Tej Ali @ Md. Taj Alia @ Tej Ali, S/o Md. Munish Alam,
Resident of Village-Bakhari Ward No.14,P.S. Bakhari,Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.

For the Opposite Party/s : Mr. (Dr.) Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 30(a) of the Bihar
Excise (Amendment) Act, 2016.

The prosecution case is that on secret information of sale
of illegal liquor being committed, a raid was led on the house of
co-accused Sahabuddin, when two persons started fleeing away
from the scene, but one of them was caught hold by the
informant. The apprehended co-accused disclosed his name as
Sahabuddin and from his possession eight bottles of 180 ml and



two bottles of 375 ml of illegal foreign liquor were recovered. The apprehended co-accused further disclosed the name of his brother Taj Ali, the petitioner who is also indulged in the illegal trade of liquor.

It is submitted by learned counsel for the petitioner that no recovery has not been made from the conscious possession of the petitioner. 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 illegal liquor has been recovered from the joint family house of the petitioner and his brother.

Considering the fact that recovery has not been made from the conscious possession of the petitioner, 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 2nd Additional Sessions Judge, Begusarai, in connection with Bakhari P.S. Case No.268



of 2018, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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