

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32677 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- MOTIPUR District- Muzaffarpur

Shiv Kumar Rai, Son of Dhaneshwar Rai, Resident of Village - Bhawani Dih,
P.S.- Motipur, Distt - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Motipur P.S. Case No.138 of 2019 for allegedly having committed the offence under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the there is no recovery from the conscious possession of the petitioner but from the hut near the Shiv Mandir.

Considering the fact that the alleged recovery was not from the conscious possession of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the



date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur, in connection with Motipur P.S. Case No.138 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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