

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70013 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- BARHAT District- Jamui

Sanjay Murmu, Son of Uma Nath Murmu, Resident of Village- Dhobni, P.S.-
Barhat, District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 16-04-2019 Heard leaned 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 272 and 273 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on 16.05.2018 at about 06.10 P.M., the informant Shashikant Ojha being the S.I. of Barhat P.S. received an information that illicit country made liquor has been prepared and sold by the petitioner, consequently, a raid was laid and on seeing the police party one person was found escaping from the scene who was identified as the petitioner, Sanjay Murmu. It is alleged that from the house of the petitioner, 06 litres of illicit country made



Mahua liquor were recovered.

It is submitted by learned counsel for the petitioner that nothing has been recovered from conscious physical possession of the petitioner and the alleged recovery has been made from a joint family house. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the house of the petitioner.

Considering the quantity of recovery and the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, it is a case of consideration of regular bail of the petitioner if he surrenders within a period of six weeks in connection with **Barhat P.S. Case No.59 of 2018** pending in the Court of learned **Addl. Sessions Judge 2nd, Jamui.**

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

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