

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47892 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- SIKARHATTA District- Bhojpur

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1. NIKU KUMAR Son of Ramjeet Singh Resident of Village-Baghara Tola, Police Station-Sikarhatta, District-Bhojpur.
 2. Bhuar Kumar @ Hare Ram Son of Ramjeet Singh Resident of Village-Baghara Tola, Police Station-Sikarhatta, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that on 28.06.2019, during patrolling, the informant being the S.I. of Police received a secret information that petitioners have stored illicit liquor near the school situated in Village Baghara Tola. Subsequently, raid was laid and 51.015 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioners that recovery has not been made from the conscious physical possession of the petitioners. The prosecution case does not disclose the name of the persons who suggested the name of the petitioners and the place of recovery does not belong to the



petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that seized illicit liquor were stored by the petitioners.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioners and the petitioners were not found present at the place of seizure, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned 4th Additional District and Sessions Judge, Ara, Bhojpur in connection with Sikarahatta P.S. Case No. 86 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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