

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49799 of 2019

Arising Out of PS. Case No.-61 Year-2019 Thana- KARAHGAR District- Rohtas

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Dhunmun Singh, Son of Ram Ashish Singh Resident of Village Tenduni,
Post- Barhari, P.S.- karghar (Barhari O.P.), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Karaghar (Barhari O.P.) P.S. Case No.61 of 2019 for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation against the petitioner is that police upon
raid recovered a total quantity of 20 litres of country-made liquor
and 1.26 litres of Romeo wine recovered from the Gosala situated
beside the house of the petitioner. It has further been alleged that
upon seeing the police party petitioner fled away from his house.

Mr. Raghunandan Kumar Singh, learned counsel
appearing for the petitioner submits that petitioner has falsely been
implicated in this case and has got no criminal antecedent of similar
nature. Learned counsel further submits that from perusal of the



FIR and seizure list, it is evident that illicit liquor has been recovered from Gosala situated besides the house of the petitioner and not from the conscious possession of the petitioner. Learned counsel further submits that upon perusal of the FIR and seizure list, it is evident that no prima facie case under the Excise Act is made out against the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that illicit liquor has been recovered from Gosala which is an open space beside the house of the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

