

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48792 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- GOH District- Aurangabad

PRAMOD KUMAR Son of Lalji Singh Resident of Village - Pundaul, P.S.-
Goh, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-08-2019 The petitioner apprehends his arrest in connection with Goh P.S. Case No. 116 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act (hereinafter referred to as the 'Act').

Allegation against the petitioner is that the Police upon secret information, reached near the place of occurrence and recovered a total quantity of 3.75 litres illicit liquor from a jute bag near the boundary wall of the petitioner's house.

Learned counsel for the petitioner submits that from perusal of FIR as well as seizure list, it would be evident that liquor was not recovered from the conscious possession or from inside the house of the petitioner as such no *prima facie* case under the Act is made out against the petitioner.

After having heard learned counsel for the parties and



taking into consideration the fact that illicit liquor has been recovered from outside near boundary wall of the petitioner's house, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge VII-Cum-Special Judge, Excise, Aurangabad in connection with Goh P.S.Case No. 116 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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