

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53915 of 2019

Arising Out of PS. Case No.-194 Year-2019 Thana- OBRA District- Aurangabad

Ramesh Singh, aged about 36 years (Male), Son of Krishna Singh, Resident of Village- Koraaipur, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Obra P.S. Case No. 194 of 2019 registered under section 30A of Bihar Excise and Prohibition Act 2018.

The allegation against the petitioner, as per the first information report, is that the police raided the poultry farm of the petitioner and near the poultry farm of the petitioner, the police recovered total quantity of 67.8 liters of country made liquor kept under the mound of Sand.

Mr. Bachan Jee Ojha, learned counsel appearing for the petitioner submits that the petitioner has got no criminal antecedent and has falsely been implicated in this case inasmuch



as the poultry farm was not being run by the petitioner for the last five years and was abandoned. Learned counsel further submits that from perusal of the first information report and the seizure list, it would be evident that illicit liquor has been recovered beside the boundary wall of the poultry farm. Learned counsel further submits that the place of recovery is an open space beside the wall of the poultry farm and not from inside of the poultry farm. Therefore, the petitioner has not committed any offence under the provisions of the Excise Act on the basis of the statement made in seizure list and the FIR.

After having heard learned counsel for the parties and taking into consideration the fact that from perusal of the seizure list, it appears that illicit liquor has been recovered beside the boundary wall of poultry farm and further the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 the learned A.D.J-VII-cum-



Special Judge (Excise) Aurangabad in connection with Obra P.S.
Case No. 194 of 2019, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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