

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4097 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- BANGARA District- Samastipur

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Santosh Kumar Singh @ Santosh Kumar, son of Sukhdev Singh, Resident of
Village- Manpura, P.S.- N.H. Bangra, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with N.H. Bangra P.S. Case No. 76 of 2018 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that though as per the allegation there is recovery of over 500 liters of illicit liquor from the house of the petitioner, but the fact is that the house is jointly owned and possessed by the petitioner and as such it cannot be said that the recovery is from conscious possession of the petitioner.

Learned APP for the State is present and has opposed



the prayer for bail. He submits that under the provisions of the Act, if huge illicit liquor has been recovered from the house in which the petitioner is a member of the family, he would be responsible to the same.

In the given facts and circumstances of the case, considering the quantity of illicit liquor recovered from the house in which the petitioner is said to be residing, I am not inclined to grant privilege of anticipatory bail to the petitioner. In case, he surrenders in the court below within a period of four weeks from today and prays for regular bail, the same shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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