

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65234 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- ARA NAGAR District- Bhojpur

Munna Yadav, aged about 55 years (Male), S/O- Bishwanath Yadav, Resident of Village- Shital Tola, P.S.- Ara Town, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan, Adv.

For the Opposite Party/s : Ms. Veena Rani Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Ara Town P.S. Case No. 274 of 2019 registered under section 30(a), 37(b) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police recovered a total quantity of 15 liter of illicit liquor from the cow-shed of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as illicit liquor has not been recovered from the conscious possession of the petitioner or from inside the house of the petitioner. Learned counsel further submits that allegedly the same has been recovered from the cow-shed which does not



belong to the petitioner however the same being situated outside the house of the petitioner, it cannot be said that the illicit liquor has been recovered from the possession of the petitioner.

Having regard to the submissions made by the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and illicit liquor has not been recovered from his conscious possession and the same has been recovered from an open space i.e. from the cow-shed of the petitioner, 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 4th Additional Sessions Judge cum Special Judge Excise Act Bhojpur, Ara in connection with Ara Town P.S. Case No. 274 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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