

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.67929 of 2019

Arising Out of PS. Case No.-212 Year-2019 Thana- OBRA District- Aurangabad

Laljee Singh @ Lalji Singh(male) aged about 65 years son of Late Ram Prasad Singh R/o Village- Sonbarsa, P.S.- Obra, District- Aurangabad.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

Appearance :

For the Petitioner : Mr.Manish Chandra Gandhi, Advocate
For the Opposite Party : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2019 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest for the offences alleged under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018 registered in connection with Obra P.S. Case No. 212 of 2019.

As per written report submitted by one Manoj Kumar Pandey, Sub-Inspector of Police, Police Station Obra, the prosecution case is that on 30.07.2019 the informant got information that illegal liquor was being sold from Maruti Suzuki bearing registration JH10 AB 5489 at village Sonbarsa P.S. Obra, District Aurangabad in front of the house of Nilu Singh, Laljee Singh (petitioner) and Bablu Singh. When the informant along with police force reached near the house of Laljee Singh and Bablu Singh, he found Maruti Suzuki standing at that place in which back gate was open and Nilu Singh,



Laljee Singh (petitioner) and Bablu Singh took cartoon out of the said Maruti Suzuki and kept it inside the house of accused Bablu Singh and one person was sitting behind the motorcycle with a cartoon in hand. Suddenly they moved in different directions after seeing the police party. The accused persons including the petitioner managed to flee away from the spot. There is recovery of 144 bottles of crazy Romeo foreign liquor each of 190 ml totalling 25.92 litres.

Learned counsel for the petitioner submits that recovery of illegal foreign liquor has been made in front of the house of Nilu Singh and Bablu Singh and not from conscious possession of the petitioner. He further submits that there is specific allegation against accused Bablu Singh. He further submits that the petitioner has no criminal antecedents.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to deposit of Rs. 15,000/- (Rupees fifteen thousand) in the court below and on deposit of the aforesaid amount, in the event of his arrest or surrender before the court below within six weeks from the date of communication of this order, the court below shall release him on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, (Excise), Aurangabad in connection with Obra P.S. Case No. 212 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



Such deposit of Rs. 15,000/- shall abide by the outcome of
the criminal case.

(Anjani Kumar Sharan, J)

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