

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66891 of 2019

Arising Out of PS. Case No.-227 Year-2019 Thana- WARISLIGANJ District- Nawada

1. AJAY SAO Son of Kishori Sao Resident of Village - Rosanpur, P.S.- Warisaliganj, Distt - Nawada.
2. Suga Sao Son of Kishori Sao Resident of Village - Rosanpur, P.S.- Warisaliganj, Distt - Nawada.
3. Chandrika Paswan Son of Late Hari Paswan Resident of Village - Rosanpur, P.S.- Warisaliganj, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

It is alleged that 78 litres of country made illicit liquor were recovered from an open area. During enquiry, one person was apprehended on the place of seizure who disclosed his name as Naresh Manjhi and named the petitioners.

It is submitted by learned counsel for the petitioners that admittedly the said recovery has been made from an open



area, hence, it cannot be treated from the conscious physical possession of the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the petitioners managed to escape from the place of seizure.

Considering the recovery from an open area coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge, Excise Act, Nawada, in connection with Warisaliganj P.S. Case No.227 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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