

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69823 of 2019

Arising Out of PS. Case No.-371 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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SURESH SINGH @ NANHAKI SINGH S/o Late Ramdular Singh R/o
village- Ladaura Ward No. 7, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsels for the parties.

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

The prosecution case is that 25.500 litres of Indian Made Foreign Liquor were recovered from the backyard of the house of the petitioner.

It is submitted by learned counsel for the petitioner that the recovery has not been made from conscious physical possession of the petitioner rather it has been made from an open area.

Learned APP submits that the recovery has been made from the backyard of the house of the petitioner and he is named



in the FIR.

Considering the fact that the recovery has been made from an open area, coupled with the fact that the petitioner has not any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ II-cum-Special Judge, Excise, Samastipur in connection with Excise Case No. 371 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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