

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74665 of 2019

Arising Out of PS. Case No.-70 Year-2019 Thana- KORMA District- Sheikhpura

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KRISHNA SAO @ KRISHNA NANDAN PRASAD @ KRISHNA SAW Son
of Late Baleshwar Sao Resident of Village- Murarapur, P.S.- Korma, District-
Sheikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 272 and 273 of the
IPC and Sections 30(a)(d) of the Bihar Prohibition and Excise
Act, 2016.

It is alleged that 20 litres of country made illicit liquor
were recovered when co-accused, Bittu Ram and Munna Ram
were apprehended, who disclosed the name of the petitioner as
the person who supplied them raw material for manufacturing
the illicit liquor.

It is submitted by learned counsel for the petitioner that
recovery has not been made from the conscious physical



possession of the petitioner and the petitioner has not been apprehended from the place of seizure. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confession of apprehended co-accused persons.

Considering the fact that recovery has not been made from the conscious physical possession of the petitioner, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Addl. District and Sessions Judge, Sheikhpura in connection with Excise Case No. 338 of 2019, arising out of Korma P.S. Case No. 70 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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