

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77203 of 2019

Arising Out of PS. Case No.-322 Year-2019 Thana- RIVILGANJ District- Saran

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DHANANJAY RAI S/o Panch Dev Rai @ Pola Rai Resident of village-
Narayanpur, P.S.- Revelganj, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 30, 38, 41 of the Bihar Excise and Prohibition Act, 2016 and Sections 188, 272, 34 of the I.P.C.

It is alleged that 20 litres of country made liquor has been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that recovery has been made from the joint family house, hence, it cannot be treated from the conscious physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP for the State submits that the recovery has been made from the house of the petitioner.

Considering the nature of recovery, this Court is not inclined to enlarge the petitioner on anticipatory bail. However, keeping in view of the quantity of recovery, it is a case for consideration of prayer for regular bail of the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner and disposed of the same preferably on the same day, if the petitioner surrenders within a period of three weeks in connection with Revilganj P.S. Case No.322 of 2019, pending before the 2nd ADJ/Special Judge, Excise, Saran, Chapra.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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