

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73389 of 2018

Arising Out of PS. Case No.-151 Year-2018 Thana- ROSHANGANJ District- Gaya

Umesh Chaudhari, S/o Late Ram Kishun Chaudhari, R/o Village- Tillaiya,
P.S.- Bankebazar, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-01-2019 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(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case as per the written report of Subodh
Kumar Singh, S.I., Bankebazar P.S. submitted to the S.H.O.,
Roshanganj (Banke Bazar) P.S. is to the effect that on
13.10.2018 at 16.30 P.M. the informant while on patrolling duty,
received secret information that illegal country made liquor has
been kept in the house of the petitioner. On raid being laid, 10
liters country maid mahua liquor were recovered.

It is submitted by learned counsel for the petitioners that
the house in question is a joint family house. It is further



submitted that no recovery was made 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.

It is submitted by learned APP for the State that the recovery has been from the house of the petitioner.

Considering the quantity of recovery and the fact that the recovery has not been made from the conscious possession of the petitioners, 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 **Special Excise Judge Gaya, Gaya**, in connection with **Roshanganj (Banke Bazar) P.S. Case No.151 of 2018** subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deepak/Ajeet/-

(Dinesh Kumar Singh, J)

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