

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79317 of 2019

Arising Out of PS. Case No.-130 Year-2019 Thana- BALIYA District- Begusarai

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RAUSHAN SINGH Son of - Chandra Bhushan Singh @ Gholti Singh
Resident of Village - Bariyarpur, P.S. - Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Madhura Nand Jha

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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 30(a), 38(i) and 41(1) 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the cattle shed of the petitioner, 492.62 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that recovery has been from the cattle shed which is an open area, hence, the recovery 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 submits that recovery has been made from



the cattle shed of the petitioner.

Considering the fact that recovery has been made from an open area, 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 Additional Sessions Judge-II-cum-Special Judge, (Excise Act), Begusarai in connection with Balia P.S. Case No. 130 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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