

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84184 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- ISUAPUR District- Saran

=====

LALBABU SINGH @ PILA SINGH Son of Ramnandan Singh Resident of
Village- Chakahar, P.S.- Isuapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Akbar Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 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 Sections 38, 30 and 41 of the Bihar Excise and Prohibition Act, 2016.

It is alleged that when the police, on the basis of a secret information, raided a place, the petitioner and other accused persons were found fleeing away from the scene after leaving 15 litres of country made liquor.

It is submitted by learned counsel for the petitioner that the seizure list suggests the recovery has been made from a bamboo orchard of Amir Singh, 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 petitioner along with the other accused persons was found fleeing away from the place of seizure after leaving 15 litres of country made liquor.

Considering the fact that the recovery has been made from an orchard which is an open area and statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Saran, in connection with Isuapur P.S. Case No.191 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

