

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84186 of 2019

Arising Out of PS. Case No.-470 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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RITESH KUMAR @ TEJU MAHTO Son of Manoj Kumar @ Baldeo Mahto
Resident of Village Haweli (Muraura), P.S.- Bihar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

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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 30(a), 30(c) and 56(b) of the Bihar Excise and Prohibition Act, 2016, as amended by Act 8 of 2018.

It is alleged that 2 litres of Indian Made Foreign Liquor has been recovered from a Bolero vehicle parked in front of the house of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has no connection with the vehicle in question, statement to that effect has been made in paragraph 7 of the petition. 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 said recovery has been made from a Bolero vehicle which was parked in front of the house of the petitioner.

Considering the fact that the said recovery has not been made from the conscious physical possession of the petitioner 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), Nalanda, in connection with Excise Case No.470 C³ of 2019. Case No., subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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