

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81793 of 2019

Arising Out of PS. Case No.-217 Year-2019 Thana- CHANPATIA District- West Champaran

Mantu Rai @ Rajeev Kumar, Son of Dibya Prakash Rai, Resident of Village -
Pandey Tola, Ward No. 11, P.S.- Bettiah (Muffasil), District - West
Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mrs.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) and 56 of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from a Maruti van, 9 litres of Indian Made Foreign Liquor was recovered. Two persons namely, Pannalal Prasad and Jhunnu Rai were arrested and they suggested that they were carrying liquor for the petitioner.

It is submitted by learned counsel for the petitioner that, prima facie, the recovery has not been made from the conscious physical possession of the petitioner. Though the petitioner is accused in one another case of similar nature but he is on bail in that case.



Learned APP submits that the apprehended accused named the petitioner.

Considering the fact that prima facie recovery has not been made from conscious physical possession of the petitioner and apprehended co-accused persons named the petitioner, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, West Champaran at Bettiah in connection with Chanpatia P.S. Case No. 217 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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