

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1162 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- DHANSOI District- Buxar

MANJI YADAV Son of Shivrath Singh @ Shivrath Singh Resident of Village
- Kaithhar Kalan, P.S.- Dansoin, District - Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2020 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 Excise and Prohibition Act, 2016, as amended by Amendment Act 8 of 2018.

It is alleged that from the house of the petitioner, 27 bottles of 180 ml. each Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that the said recovery has been made from the joint family house of the petitioner, 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 said recovery has been made from the house of the petitioner.

Considering the said recovery made from the house of the petitioner, this Court is not inclined to release the petitioner on anticipatory bail. But keeping in view the fact that recovery has been made from a joint family house, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Dhansoin P.S. Case No. 168 of 2019, pending before the learned ADJ-II-cum-Special Judge (Excise), Buxar.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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