

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1760 of 2020

Arising Out of PS. Case No.-239 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Dhirendra Yadav S/O Late Yadunandan Yadav R/O Village - Barhauna, PS -
Alamnagar, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016 as amended by Amendment Act 8 of 2018.

The prosecution case as per the report of Inspector, Excise, Uda-Kishunganj Circle, Madhepura is to the effect that on a secret information that the petitioner has brought huge quantity of liquor on the eve of Deepawali, a raid was laid and from the bushes and straw, 53.625 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner



that the recovery has not been made from the conscious physical possession of the petitioner rather the same has been made from an open area and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is involved and storing and selling the liquor.

Considering the fact that the recovery has not been made from conscious physical possession of the petitioner and statement being made in paragraph 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 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 Additional Sessions Judge-II, Madhepura in connection with Excise (Complaint) Case No. 239 of 2019-20, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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