

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4547 of 2020

Arising Out of PS. Case No.-233 Year-2019 Thana- SUPPI District- Sitamarhi

HARIF RAM @ HARIFI RAM, S/o- Late Jaldhari Ram, R/o Village- Suppi,
Ward No. 12, P.S.- Suppi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madan Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-02-2020 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 Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Excise and Prohibition Act, 2016, as amended by the Amendment Act 8 of 2018.

It is alleged that 7.5 litres of Nepali liquor was recovered from the front courtyard of the petitioner when the son of the petitioner namely, Anil Ram was apprehended who



disclosed that the petitioner, Harif Ram, used to bring the liquor from Nepal.

It is submitted by learned counsel for the petitioner that the said recovery has not been made from the conscious physical possession of the petitioner, rather the said recovery has been made from an open area of the joint family house. 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 front courtyard of the petitioner.

Considering the fact that the said recovery has been made from the house of the petitioner, this Court is not inclined to release the petitioner on anticipatory bail. However, keeping in view the nature of recovery made and statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 Suppi P.S. Case No. 233 of 2019, pending before the learned ADJ-II-



cum-Special Judge, Excise, Sitamarhi.

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

(Dinesh Kumar Singh, J)

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