

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2634 of 2020

Arising Out of PS. Case No.-261 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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Nijamuddin @ Md. Nijam Son of Late Md. Ajmat Resident of Village
Khonha, Ward No. 14 P.S. Bihra, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsels for the petitioner and the

State.

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

It is alleged that from the fodder house adjacent to the
house of the petitioner, 85.5 litres of Indian Made Foreign
Liquor were recovered.

It is submitted by learned counsel for the petitioner that
recovery has been made from the fodder house, which is outside
the house of the petitioner and the same is not amenable to the
locking system. A statement has been made in paragraph no.3 of
the petition that the petitioner is not having any criminal



antecedent.

Learned APP submits that recovery has been from the fodder house of the petitioner.

Considering the fact that recovery has been made from the fodder house, which is outside the main house of the petitioner, coupled with the 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/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 like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Saharsa in connection with Special (Excise) Case No. 261 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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