

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4651 of 2020

Arising Out of PS. Case No.-259 Year-2018 Thana- CHAINPUR District- Kaimur (Bhabua)

JAMALUDDIN MIR@ JAMALU DIN MIR Son of Rajak Mir Resident of
Village- Chainpur, P.S.- Chainpur, Distt- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise(Amendment) Act, 2018.

The prosecution case is that from the motorcycle of the petitioner, 0.375 ml of country made liquor was 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.

Considering the nature of accusation and the recovery, this Court is not inclined to grant anticipatory bail as the same is not maintainable, however keeping in view the quantity of recovery, it is a case for consideration of the prayer for regular bail by the learned Court below in case the petitioner surrenders



within a period of six weeks and prays for the same in connection with Chainpur P.S. Case No.259 of 2018 pending in the Court of learned Additional Sessions Judge III-cum-Special Judge, Excise Act, Kaimur at Bhabua.

(Dinesh Kumar Singh, J)

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