

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20066 of 2020

Arising Out of PS. Case No.-535 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Ajeet Singh @ Ajit Singh @ Ajit Kumar S/o Sonelal Singh R/o village-
Gaupur, Ward No. 05, P.S.- Ujjyarpur, District- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Anjum Akhter

For the Opposite Party/s : Mrs.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-07-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsel for the petitioner and learned
APP for the State.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the bench.



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

The prosecution case is that from the verandah of the house of the petitioner, 85.230 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from the verandah of the house of the petitioner which is open area and hence, it cannot be treated from conscious physical possession of the petitioner. The petitioner is accused in one another case of similar nature.

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

Considering the fact that the recovery has been made from open verandah of the house of the petitioner, it is a case for consideration of prayer for regular bail by the learned Court below, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Excise Case No. 535 of 2019, pending in the Court of learned Additional District & Sessions Judge-II -cum- Special



Judge, Excise Act, Samastipur.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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