

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81240 of 2019**

Arising Out of PS. Case No.-280 Year-2019 Thana- NARHATT District- Nawada

Pintu Prasad Yadav @ Mangar Yadav @ Magar Yadav, Son of Bale Yadav @
Baleshwar Pd., R/o Village- Hazidhaw, P.S.- Narhat, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 14-02-2020 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 Act 8 of 2018.

It is alleged that 20 litres of country made liquor were recovered from an open area kept in a water channel.

It is submitted by learned counsel for the petitioner that the recovery cannot be treated from the conscious physical possession of the petitioner 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 on the information received



that the petitioner concealed the liquor, a raid was laid and recovery was made.

Considering the fact that the recovery has not been made from the 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 District & Sessions Judge-II -cum- Special Judge, Nawada in connection with Narhat P.S. Case No. 280 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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