

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81917 of 2019

Arising Out of PS. Case No.-223 Year-2019 Thana- OBRA District- Aurangabad

Nilu Singh @ Neelu Singh Son of Lalji Singh Resident of Village - Sonbarsa,
P.S.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Md. Nazir Ansari

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.

201.960 litres of Indian Made Foreign Liquor were recovered near a bridge and it is alleged that petitioner and others stored the same.

It is submitted by learned counsel for the petitioner that the recovery has been made from an open area and it cannot be treated from conscious physical possession of the petitioner. Though, the petitioner is accused in one another case of similar nature but he is on bail.



Learned APP submits that the police received information that the petitioner and others stored the liquor in question.

Considering the fact that the recovery has been made from an open area, 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 Sessions Judge-VII -cum- Special Judge (Excise), Aurangabad in connection with Obra P.S. Case No. 223 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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