

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86843 of 2019

Arising Out of PS. Case No.-720 Year-2019 Thana- BUXAR District- Buxar

SANJU PASWAN, S/o Raj Kishore Paswan @ Raj Kishor, Resident of
Village- Khalashi, Muhalla, P.S.- Buxar (T), Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a) and 37(2) of the Bihar Excise and Prohibition Act, 2016, as amended by Act 8 of Amendment Act, 2018.

It is alleged that 21.42 litres of Indian Made Foreign Liquor were recovered from the house of the petitioner and some of the persons were found in drunken condition.

It is submitted by learned counsel for the petitioner that the said recovery has been made from the joint family house, hence, it cannot be treated from the conscious physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having



any criminal antecedent.

Learned APP for the State submits that the said recovery has been made from the house of the petitioner.

Considering the fact that the recovery has been made from the joint family house of the petitioner and the nature of recovery, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned Court below within a period of six weeks in connection with Buxar (T) P.S. Case No. 720 of 2019, pending before the learned ADJ-II-cum-Special Judge (Excise), Buxar.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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