

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86823 of 2019

Arising Out of PS. Case No.-144 Year-2019 Thana- DAWATH District- Rohtas

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Ajay Kumar @ Pramod Kumar @ Pramod Singh Son of Manoj Kumar Singh
@ Manoj Kumar Yadav Resident of Village-Bodhchatar, Police Station-
Dawath, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Mrs. Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsels for the petitioner and the

State.

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

The prosecution case is to the effect that from the house of
co-accused Santosh Prasad, 58.580 litres of Indian Made
Foreign Liquor, cash amount of Rs. 67,220/- and a diary were
recovered. The seized diary reflects the name of the petitioner as
the person who used to take liquor from co-accused Santosh
Prasad since 2015.

It is submitted by learned counsel for the petitioner that
recovery has not been made 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 submits that the name of the petitioner sprang up from the diary recovered from the house of co-accused Santosh Prasad.

Considering the fact that recovery has not been made from the conscious physical possession of the petitioner, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned Special Judge, Excise Act, Rohtas at Sasaram in connection with Dawath Case No. 144 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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