

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86851 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- RAJAOLI District- Nawada

CHANDAR YADAV, Son of Latu Yadav, Resident of Village - Hathochak,
P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, 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 offence punishable under Section 30(a) of the Bihar Excise and Prohibition Act, 2016, as amended by Amendment Act 8 of 2019.

The prosecution case is that 100 litres of mahua liquor were recovered from a ditch. He is alleged to have escaped from the scene on seeing the police party.

It is submitted by learned counsel for the petitioner that admittedly, the said recovery has been made from an open area, 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 petitioner escaped from the scene on seeing the police.

Considering the said recovery from an open area and statement made in paragraph no.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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge (Excise), Nawada, in connection with Rajauli P.S. Case No.112 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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