

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11011 of 2024

Arising Out of PS. Case No.-477 Year-2023 Thana- BARAUNI District- Begusarai

Sanjeet Kumar @ Sanjeev Kumar son of Late Sukhdev Ram @ Late Sukho
Ram Village- Baro Rajdevpur W.No-15, PS- Barauni Gadhara Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore
For the Opposite Party/s : Ms. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Barauni (Gadhara) P.S. Case No.477/2023 registered for
the offence punishable under Section 30(i) of Bihar Prohibition
and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 8.640 litres of liquor from the house of the
petitioner. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and after amendment in the Excise Act in the year
2018, the concept of deemed possession and presumed offender
has been done away with. It is also submitted that the house in



question is a joint family property as such it cannot be alleged with certainty that it was petitioner, who had kept the liquor in the house or the liquor kept in the house was within his knowledge and he came to be implicated by the local people but then the name of person who disclosed the name of the petitioner is not disclosed in the F.I.R.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1, Begusarai in connection with Barauni (Gadhara) P.S. Case No.477/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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