

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45539 of 2016

Arising Out of PS.Case No. -144 Year- 2016 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

=====

1. Rajeev Kumar S/o Late Rajendra Prasad resident of mohalla -
Habibpura, Police Station Sohsarai, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 01-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

98 bottles, containing near about 73 liters Indian made
foreign liquor, are said to have been recovered from the house of
the petitioner and the informant claims that petitioner had stored
the aforesaid liquor to sell. Petitioner is in jail custody since
16.8.2016 and he does not have any criminal antecedent.

Submission on behalf of the petitioner is that mere
possession of Indian made foreign liquor is not punishable offence
under the Excise Amendment Act which was brought by the
legislature in the month of April 2016 and so far as the allegation
of selling the aforesaid liquor is concerned, that is only



presumption of investigating officer.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bihar Sharif in connection with Shosarai P.S.case No. 144 of 2016.

(Hemant Kumar Srivastava, J)

N.K/-

U		T	
---	--	---	--

