

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49729 of 2016**

Arising Out of PS.Case No. -359 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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Dewa Singh @ Guru Prasad Singh Son of Sri Raghvendra Singh, resident of  
Mohallah- Candan Nagar, Gulabbagh P.S- Sadar, District- Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Rajkishore Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      19-12-2016                      Heard learned counsel for the petitioner as well as  
learned A.P.P. for the State.

This application is for grant of regular bail for the  
offence under Sections 272 and 273 of the Indian Penal Code as  
well as Section 47 (a) of the Bihar Excise (Amendment) Act,  
2016.

The allegation against the petitioner is about recovery of  
71.640 ltrs. of foreign-made liquor.

It is submitted on behalf of the petitioner that as the  
matter of fact, nothing has been recovered from the possession of  
the petitioner rather it has been recovered from the Tempo and he  
was only sitting as a passenger in the Tempo and he is in custody  
since 22.09.2016. It is further submitted that the petitioner has no



criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the recovery is not from the conscious possession of the petitioner as well as he is in custody since 22.09.2016, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM, Purnea in connection with Sadar P.S.Case No.359 of 2016.

**(Vinod Kumar Sinha, J)**

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