

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40005 of 2018

Arising Out of PS.Case No. -348 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

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Prahlad Singh, Son of Sri Balmiki Singh, Resident of village- Pokharia,
P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Shashank Shekar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 10-07-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Saraiya P.S. Case No.348 of 2017 for the offences under Sections 399, 402, 414 of the Indian Penal Code, Sections 25(1-b), a, 26, 35 of Arms Act and Sections 30, 37(a),(b),(c), 38, 41 of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that in the instant case neither the liquor nor the arms was recovered from the conscious possession of the petitioner. Learned counsel submits that from the seizure list, it would be manifest that the recovery was made from other co-accused and not from this petitioner. The petitioner is in custody since 30.05.2018.

Considering the fact that the petitioner is in custody



since 30.05.2018 and the seizure was not from the conscious possession of the petitioner, the petitioner, named above, is directed to be released on bail **after 30.07.2018** on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Muzaffarpur in connection with Saraiya Police Station Case No.348 of 2017.

(Anil Kumar Upadhyay, J)

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