

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32433 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- GADHPURA District- Begusarai

Kapildeo Rai @ Sitaram Rai S/o Late Ram Bahadur Rai, R/o Vill.-
Harakhpur, P.S.- Garhpura, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-06-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Garhpura
P.S. Case No. 26 of 2018 giving rise to G.R. No. 1062 of 2018
for offenses punishable under section 30(a) of the Bihar Excise
and Prohibition Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent. He further submits that
the liquor was recovered from the vehicle out side of house of
the petitioner. Learned counsel also submits that the petitioner
is neither owner of the vehicle nor owner of the liquor seized in
the instant case.

Considering the fact that the petitioner has no criminal
antecedent and nothing was recovered from his conscious



possession, and considering the fact that he is not even owner of the vehicle from where the liquor was seized. He has remained in custody for more than two months i.e. from 25.03.2018.

In view of the above, let the petitioner, named above, 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 learned Additional Sessions Judge-II, cum Special Judge, Excise Court, Begusarai, in connection with Garhpura P.S. Case No. 26 of 2018, G.R. No. 1062 of 2018.

(Anil Kumar Upadhyay, J)

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