

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4202 of 2019

Arising Out of PS. Case No.-496 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

Birendra Bind son of Ram Prasad Bind Vill-Chilbili, P.S-Kudra, Distt.-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 13.12.2018 in a case registered for the offence punishable under Section 30(a) the Bihar Prohibition and Excise Act, 2016.

On receiving secret information, S.I. of Kudra Police Station raided the brick-kiln of Prakash Singh and apprehended co-accused Sona Devi and from her possession 3 litres of Mahua liquor were recovered. It is further alleged that on the statement of co-accused Sona Devi, 150 kilograms of fermented Mahua were recovered from the field of the petitioner.

It is submitted by learned counsel for the petitioner that recovery has been made from the open field. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP submits that the recovery has been from the field of the petitioner.

Considering the fact that the recovery has been made from the agricultural field and the petitioner is not having any criminal antecedent, coupled with the period in custody, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (Excise), Kaimur at Bhabua in connection with Excise Case No. 979 of 2018.

(Dinesh Kumar Singh, J)

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