

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4989 of 2019

Arising Out of PS. Case No.-255 Year-2018 Thana- MANIGACHI District- Darbhanga

RAHUL KUMAR SAH son of Shambhu Sahu @ Shambhu Sah Resident of
village-Ladho, P.S.- Biraul, District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Manigachhi P.S. Case No. 255 of 2018 registered for the offence under Section 30 (a) and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned Counsel appearing on behalf of the petitioner submits that petitioner has no criminal antecedent. He further submits that in the instant case total 1221 liters liquor was seized. Learned counsel for the petitioner next contended that only allegation against this petitioner is that he was standing near the vehicle from which the alleged liquor was seized. Referring to the seizure list he submits that there is contradiction in the version of the police and the seizure list because the said truck was caught at N.H. 57 at 2 K.M. east from Raje Toll Plaza



and the seizure list was prepared at the police Station.

Considering the fact that petitioner has no criminal antecedent and he has remained in custody since 18.12.2018 let the petitioner named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, Vth- Cum- Special Judge (Excise Act), Darbhanga in connection with Manigachhi P.S. Case No. 255 of 2018 (G.O. Case No. 1072 of 2018).

(Anil Kumar Upadhyay, J)

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