

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9063 of 2019

Arising Out of PS. Case No.-135 Year-2018 Thana- SAHARGHAT District- Madhubani

Subodh Das, aged about 35 years (Male), Son of Biptu Das, Resident of
Village and P.S. - Chraut (Pupuri), District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 20.11.2018 in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that on the information to the effect that some people are carrying illicit liquor from Nepal, a raid was laid when one person was apprehended, who disclosed that they were carrying the liquor on behalf of the petitioner and others and it is further alleged that 180 litres of illicit Nepali liquor were recovered.

It is submitted by learned counsel for the petitioner that the petitioner was not apprehended from the place of recovery hence, recovery cannot be treated from the conscious



physical possession of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the liquor were carrying at the behest of the petitioner.

Considering the accusation which does not suggest that the recovery has been made from the petitioner, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned 2nd Additional Sessions Judge -cum- Special Judge, Madhubani in connection with Sahareghat P.S. Case No. 135 of 2018.

(Dinesh Kumar Singh, J)

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