

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7700 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- PATRAKARNAGAR District- Patna

Suman Kumar, aged about 25 years (Male), Son of Devendra Prasad,
Resident of Village - Ghoshi, P.S.- Ghoshi, District- Jehanabad. At present
Hanuman Nagar, LIG 4/28, P.S. Patrakar Nagar, District -Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
05.01.2019 in a case registered for the offences punishable
under Sections 30(a) (b), 37(a), 38 and 41 of the Bihar
Prohibition and Excise Act, 2016.

It is alleged that from the house of the petitioner,
15.350 litres of illicit foreign liquor were recovered.

It is submitted by learned counsel for the petitioner
that there is inconsistency between the alleged recovery
made case and the seizure list prepared for the said recovery
as the seizure list suggests that the recovery has been made
from behind the Hanuman Nagar Temple, hence, the
recovery cannot be treated from the house 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 recovery has been made from the house of the petitioner.

Considering the quantity of recovery and the period under custody, 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 Special Judge, Excise Act, Patna in connection with Special Case No. 194 of 2019, arising out of Patrakar Nagar P.S. Case No. 07 of 2019.

(Dinesh Kumar Singh, J)

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