

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7052 of 2019

Arising Out of PS. Case No.-647 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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SANJEEV KUMAR, Son of Binod Mahto, R/o village- Eataharwa, P.S-
Kanhauli, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Adv.

For the Opposite Party/s : Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
21.12.2018 in a case registered for the offence punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the petitioner was
apprehended with 159 litres of illicit Nepali liquor.

It is submitted by learned counsel from the petitioner
that the recovery has not been made from the conscious physical
possession of the petitioner. A statement has been made in
paragraph no.3 of the petition that the petitioner is not having
any criminal antecedent.



Learned APP for the State submits that the recovery has been made from the possession of the petitioner.

Considering the period under custody, coupled with the statement made in paragraph no.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 **A.D.J.-II-cum-special Judge Excise Act, Sitamarhi** in connection with **Case No.C2/647/2018/773/18.**

(Dinesh Kumar Singh, J)

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