

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7436 of 2019

Arising Out of PS. Case No.-826 Year-2018 Thana- KHAGARIA District- Khagaria

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PRAVIN KUMAR @ KARU Son of Vinay Kumar R/o Mohalla- Post office
Road, P.S- Khagaria, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mrs.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 22.11.2018 in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the bush behind the house of the petitioner, 14.400 litres Officer's Choice whiskey were recovered when the petitioner was caught while fleeing from the place of seizure.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the conscious physical possession of the petitioner. Though the petitioner is accused in two other cases but none of those cases are under the the Bihar Prohibition and Excise Act, 2016.



Learned APP submits that the petitioner was apprehended while fleeing away from the place of recovery.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioner and the period under 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 I/C Special Judge, Excise, Khagaria in connection with Khagaria P.S. Case No. 826 of 2018.

(Dinesh Kumar Singh, J)

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