

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9778 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Kishore Kumar, Age 23 yrs., Male, Son of Lal Babu Sah, Resident of Village
- Kurji More, P.S. Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
09.01.2019 in a case registered for the offences punishable
under Sections 30(a) and 32(III) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case is that from the motorcycle
which was driven by the petitioner, 19.080 litres of Indian made
foreign liquor and from nearby bush, 9 litres of illicit foreign
liquor were recovered.

It is submitted by learned counsel for the petitioner
that the motorcycle from which the liquor is alleged to have
recovered does not belong to the petitioner and the petitioner has



maliciously been framed in the present case. 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 motorcycle which was driven by the petitioner.

Considering the quantity of recovery and period under custody, coupled with the statement being 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 **Special Judge Excise Act-cum-A.D.J.-Vth (Incharge Court), Patna**, in connection with **Digha P.R. No.96 of 2019** arising out of **Excise Spl. Case No.330 of 2019**.

(Dinesh Kumar Singh, J)

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