

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10643 of 2019

Arising Out of PS. Case No.-132 Year-2018 Thana- BANGAWON District- Saharsa

RINKU TANTI Son of Rambharosi Tanti @ Rambharoshi Sharma R/o
village- Kamalpur, P.S- Bangaon, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
11.01.2019 in a case registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

It is alleged that from the house of the petitioner,
318.24 litres of India made foreign liquor were recovered.

It is submitted by learned counsel for the petitioner
that the petitioner was not present in the house at the time of
seizure, though the wife of the petitioner was arrested, who has
already been granted bail by a Bench of this Court vide
Criminal Miscellaneous No. 10726 of 2019. It is further
submitted that though the petitioner is accused in one other



case apart from the present case, but in that case he is on bail.

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

Considering the fact that the offences under the Excise Act are not quantity based offences like that of the NDPS Act and the period under custody, coupled with the fact that there is nothing on record to suggest that the sample of seized material has been transmitted to FSL for its chemical examination, 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), Saharsa, in connection with Special (Excise) Case No.651 of 2018, arising out of Bangaon P.S. Case No. 132 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

