

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11038 of 2019

Arising Out of PS. Case No.-245 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Raushan Kumar Son of Parmanand Singh Resident of Village- Malhipur, Near
Bhagwati Asthan, P.S.- Kasim Bazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Sections 30(a),38(1) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 528.198 litres country made illicit liquor were recovered from a pick-up van of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner was not present on the place of seizure and the petitioner was not aware about the articles being transported by the driver of the vehicle in question. 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 pick-up vehicle which was found to be registered in the name of the petitioner.

Considering the fact that the investigation has already been concluded, the prosecution case does not suggest that the sample of the recovered liquor has been sent for its chemical examination, statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent 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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Lakhisarai in connection with Lakhisarai P.S. Case No.245 of 2018.

(Dinesh Kumar Singh, J)

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