

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9342 of 2019

Arising Out of PS. Case No.-760 Year-2018 Thana- ALAMGANJ District- Patna

BITTU RAI @ PAPPU RAI Son of Suraj Rai, Resident of village- East Nand
Gola, P.S.- Malsalami, District -Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 22.12.2018 in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 12 litres of country made Mahua liquor was recovered from the petitioner.

It is submitted by learned counsel for the petitioner that the recovery has been made from under the seat of autorickshaw, hence recovery cannot be treated from the conscious physical possession of the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been made from the petitioner.



Considering the recovery from the autorickshaw, period under custody and quantity of recovery coupled with the 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 Special Judge, Excise, Patna in connection with Alamganj P.S. Case No.760 of 2018.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

