

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10036 of 2019

Arising Out of PS. Case No.-06 Year-2019 Thana- RAGHUNATHPUR District- Siwan

Dharmendra Prasad, aged about 38 years old (Male), Son of Late Tota Sah,
Resident of Village and P.S. - Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since 05.01.2019 in a case registered for the offences punishable under Sections 30(a), (c), (d), 38 and 41 (1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that a secret information was received on 04.01.2019 that the petitioner is doing a business of illicit liquor from his shop, whereupon a raid was laid in the shop of the petitioner and 19.80 litres of India Made Foreign Whiskey were recovered.

It is submitted by learned counsel for the petitioner that the alleged shop from which the recovery has been made does not belong to the petitioner and he has falsely been roped in the



present case. It is further submitted that the investigation has already been concluded. 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 shop of the petitioner.

Considering the quantity of recovery and period under custody, coupled with statement 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 **Additional Sessions Judge-II-cum- Special Judge, Excise, Siwan** in connection with **Raghunathpur P.S. Case No.6 of 2019**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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