

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10071 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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ALLAUDDIN MANSOORI, Son of Muhammad Ajij Mian, R/o village-
Balua, P.S- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since
18.01.2019 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 on 16.01.2019, two
persons while travelling on the motorcycle were intercepted.
Out of which, one was the petitioner, from whose possession,
96.00 litres of country made liquor were recovered.

It is submitted by learned counsel from the petitioner
that the petitioner is in custody for more than one month. It is



further submitted that nothing has been recovered from the conscious physical possession of the petitioner and maliciously the petitioner has 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 possession of the petitioner.

Considering the fact that the impugned order does not suggest that the seized liquor has been transmitted to F.S.L. for chemical examination, period under custody, coupled with the 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 **Special Judge, Excise, East Champaran, Motihari** in connection with **Excise Case No.48 of 2019.**

(Dinesh Kumar Singh, J)

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