

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15400 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- KHAJEKALA District- Patna

1. Manoj Poddar, Son of Late Prahlad @ Prahlad Poddar, Resident of Mohalla - Bijali Office Ki Gali, New Sent Paul School, P.S.- Khajekalan, Distt - Patna
2. Bittu Kumar Mishra @ Bittu Kumar, Son of Shiv Kumar Mishra, Resident of Mohalla - Gurhatta, Court Gast Chowki Ke Pas, P.S.- Khajekalan, Distt - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 19.01.2019 in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The recovery of about 19 litres of illicit country made liquor from the back portion of the shop of petitioner no. 1.

It is submitted by learned counsel for the petitioners that the recovery has not been made from the physical conscious possession of the petitioners rather it is made from an open area. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.



Learned APP submits that the recovery has been made from the back portion of the shop of petitioner no. 1

Considering the nature and quantity of recovery, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 744 of 2019, arising out of Khajekalan P.S. Case No. 31 of 2019.

(Dinesh Kumar Singh, J)

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