

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14044 of 2019

Arising Out of PS. Case No.-251 Year-2018 Thana- HISUWA District- Nawada

Mithilesh Chaudhary, aged about 32 years, Male, S/o Late Dapegi Chaudhary
@ Darogi Chaudhary, Resident of Village- Tungi, P.S.- Hisua, District-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
29.12.2018 in a case registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the back of the house of the
petitioner, 30 litres of illicit country made liquor were
recovered.

It is submitted by learned counsel for the petitioner
that the recovery has been made from an open area and hence,
the recovery cannot be treated from the conscious physical
possession of the petitioner. It is further submitted that the
petitioner is accused in one another case of similar nature in



which he is on bail.

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

Considering the quantity of recovery from an open area and the period under custody, 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, Nawada in connection with Hisua P.S. Case No. 251 of 2018.

(Dinesh Kumar Singh, J)

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