

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13390 of 2019**

Arising Out of PS. Case No.-152 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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MUNNA CHAUDHARY, Son of Shravan Chaudhary, Resident of Village -
Abbu Mahmadpur, PS- Bakhtiyarpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

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

The petitioner is languishing in custody since
30.12.2018 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 from the bag being
carried by the petitioner, 16.20 litres of Indian made foreign
liquor were recovered.

It is submitted by learned counsel for the petitioner
that nothing has been recovered from the conscious physical



possession of the petitioner and only on suspicion 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 quantity of recovery and 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, Patna** in connection with **Special Case No.12342 of 2018** arising out of **Bypass P.R. Case No.152 of 2018**.

(Dinesh Kumar Singh, J)

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