

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14342 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Vishal Kumar, Son of Ram Ayodhi Singh, Resident of Village- Gadhwa
Vishanpur P.S.- Majorganj, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Ajay Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-03-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
16.01.2019 in a case registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case is that from the possession of
the petitioner, 54 litres of illicit Nepali liquor namely, *Saufi* 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 the basis of suspicion, the petitioner has been roped 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 **A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi** in connection with **Case No. C2/18/19**.

(Dinesh Kumar Singh, J)

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