

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14347 of 2019**

Arising Out of PS. Case No.-71 Year-2019 Thana- NAWADA District- Nawada

SUNIL KUMAR, Son of Chhotan Ram Resident of Village- Dumarkol, P.S.-
Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

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

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

It is alleged that 60 litres of country made illicit
liquor were recovered from a motorcycle driven by the
petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has falsely been roped in the present case and
the petitioner is not the owner of the alleged motorcycle. A
statement has been made in paragraph no.3 of the petition that
except the present case, the petitioner is not having any criminal
antecedent.



Learned APP for the State submits that the recovery has been made from the conscious physical possession of the petitioner.

Considering the quantity of recovery and the period under custody, coupled with 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 ADJ-II-cum-Special Judge, Excise Act, Nawada in connection with Nawada (Nagar) P.S. Case No. 71 of 2019.

(Dinesh Kumar Singh, J)

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