

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16230 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Sutai Rai @ Sutai Rain, son of late Hanif Rain, Resident of Village-
Hanumannagar Goat, Ward No. 1, P.s.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
22.12.2018 in a case registered for the offence punishable under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It is alleged that three persons including the petitioner
were apprehended and from their possession, 72 litres of illicit
Nepali liquor were recovered.

It is submitted by learned counsel for the petitioner
that the recovery has not been made from the conscious physical
possession of the petitioner and a statement has been made in
paragraph 3 of the petition that the petitioner is not having any
criminal antecedent.



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

Considering the nature of recovery and the period under custody, coupled with the statement made in paragraph 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 Additional Sessions Judge II -cum- Special Judge (Excise Act), Sitamarhi in connection with G.O. Case No. 161 of 2018.

(Dinesh Kumar Singh, J)

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