

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16185 of 2019

Arising Out of PS. Case No.-296 Year-2018 Thana- BAKHARI District- Begusarai

Umesh Sahni, S/o Harilal Sahni, Resident of Village- Gothiyari, P.S.- Bakhri,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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 21.01.2019 in a case registered for the offences punishable under Section 30(a), (d) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that on the basis of a secret information given by a spy, on 10.10.2018, a raid was laid when near the railway line, 130 litres of 'mahua' liquor were recovered. The local people suggested that the said liquor was being prepared by the petitioner along with others.

It is submitted by learned counsel for the petitioner that admittedly, the recovery has not been made from the conscious physical possession of the petitioner. 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 local people suggested that the petitioner and other accused persons used to prepare the illicit liquor.

Considering the alleged recovery made from an open place near the railway line 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 2nd ADJ-cum-Special Judge, Excise Act, Begusarai in connection with Bakhri P.S. Case No.296 of 2018.

(Dinesh Kumar Singh, J)

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