

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19390 of 2019**

Arising Out of PS. Case No.-344 Year-2018 Thana- DEEPNAGAR District- Nalanda

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RAMU KUMAR @ VIKASH KUMAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 30.01.2019 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 inside and around the pump house of the petitioner, 166 litres of illicit country made liquor were recovered.

It is submitted by learned counsel for the petitioner that recovery has been made from an open area, hence the recovery cannot be treated from the conscious physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that apart from present case, the petitioner is also accused in two other cases.



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

Considering the nature of recovery and period under custody, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Additional District and Sessions Judge, Nalanda at Bihar Sharif in connection with Deep Nagar P.S. Case No. 344 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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