

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16162 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- SITAMARHI District- Sitamarhi

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KUMOD RANJAN Son of Vishnudeo Sah R/o village- Ambedkar Chauk,
Ward No.- 2, Gaushala Road SBI ATM, Punaura, P.S.- Sitamarhi, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Arbind Kumar Pandey(App84)

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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
31.01.2019 in a case registered for the offences punishable
under Sections 272, 273 of the I.P.C. and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case is that a raid was laid on the
house of the petitioner and three persons were apprehended,



who disclosed their names as Kumod Ranja, the petitioner and co-accused, Rakesh Jha and Amit Kumar. On search being made, from the house of the petitioner, 81 litres of country made liquor were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is not the owner of the house. In fact, the half portion of the house from which the recovery was made has been let out to co-accused Rakesh Jha and an agreement to that effect has been executed between the parties, as contained in Annexure-2 to the petition. 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 house of the petitioner.

Without expressing any opinion with regard to the tenancy between the petitioner and said Rakesh Jha, 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, Sitamarhi in
connection with Sitamarhi P.S. Case No. 74 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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