

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20096 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Raju Choudhary @ Raju Kumar, Son of Late Jagdish Choudhary, Resident of
Village - Sivaisingpur, P.S.- Mohaddinagar, Nagar, Distt - Samastipur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2019 Learned counsel for the petitioner submits a

supplementary affidavit for making correction in paragraph

nos.11 and 13 of the petition with regard to typographical error.

Heard learned counsels for the parties.

The petitioner is languishing in custody since 30.01.2019

in a case registered for the offence punishable under Section

30(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the possession of the

petitioner, 54 litres of Indian Made Foreign Liquor were

recovered.

It is submitted by learned counsel for the petitioner that the

recovery has been made from the joint family house 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 submits that recovery has been made from the conscious physical possession of the petitioner.

Considering the fact that recovery has been made from the joint house of the family, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named 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 the learned **Additional Sessions Judge-IIIrd-cum-Special Judge, Excise Samastipur** in connection with **Excise Cae No.32 of 2019**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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