

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19473 of 2019**

Arising Out of PS. Case No.-155 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Dilip Das, Son of Shankar Das, Resident of Village- Rustampur Ward No. 18,
P.S.- Raghapur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Singh
For the Opposite Party/s : Mrs.Sucheta Yadav

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 01-04-2019 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 offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the motorcycle, on which
petitioner was pillion rider, 27.750 litres of illicit foreign liquor
were recovered, though, the driver of the motorcycle managed
to escape from the scene.

It is submitted by learned counsel for the petitioner
that the petitioner was not aware about the liquor being
transported on the alleged motorcycle. The petitioner is not the
owner of the motorcycle in question though statement to that



effect has not been made in the petition. 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 was made from the motorcycle on which the petitioner was pillion rider.

Considering the nature of recovery and 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 Special Judge, Excise, Patna in connection with Special Case No. 1146 of 2019, arising out of Didarganj P.S. PR. No. 155 of 2019.

(Dinesh Kumar Singh, J)

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