

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16758 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua) *

RAM YASH CHAUDHARY Son of Ram Lal Chaudhary Resident of Village
- Gheghian, P.S.- Mohania. Distt - Kaimur at Bhabua,

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
01.02.2019 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 about 14 litres of country
made liquor were recovered from the heap of straw near the
Ghoghia Middle School. Though on seeing the police party, the
petitioner and co-accused Suman Chaudhary tried to flee away
from the place of seizure, but on chase being made by the
police, the petitioner was apprehended.

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, rather it has



been made from an open place and only on the basis of suspicion, the petitioner has been roped in the present case. 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 petitioner was found fleeing away from the place of seizure.

Considering the said recovery made from an open place 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 Special Judge, Excise Act, Kaimur at Bhabua in connection with Excise Case No. 77 of 2019, corresponding to Mohania P.S. Case No.50 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

