

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17320 of 2019**

Arising Out of PS. Case No.-104 Year-2019 Thana- SIWAN CITY District- Siwan

JITU KUMAR, Son of Late Paras Sah @ Paras Prasad, Resident of Village -
Makdum Sarai Turha toil, P.S.- Siwan town, Distt - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mrs. Asha Kumari

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

2 27-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
04.02.2019 in a case registered for the offences punishable
under Sections 30(a), 36 and 37(c) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case is that from a bag being carried
by the petitioner, 10.800 litres of Indian Made Foreign Liquor
were recovered.

It is submitted by learned counsel for the petitioner
that nothing has been recovered from the conscious physical



possession of the petitioner and maliciously, 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 accused in one other case apart from the present case in which, he is on bail, though statement to that effect has not been made in the petition.

Learned APP for the State submits that the recovery has been made from the possession of the petitioner.

Considering the quantity of recovery and period under custody, 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 **Additional Sessions Judge 2nd -cum-Special Judge, Excise, Siwan** in connection with **Siwan Town P.S. Case No.104 of 2019.**

(Dinesh Kumar Singh, J)

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