

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18346 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- KAHALGAON District- Bhagalpur

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KANHAIYA KUMAR Son of Bholi Mandal, Resident of village- Rani Talab,
sabour Road, Near Hanuman Mandir, P.S.- Industrial Area (Zero Mile),
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
17.02.2019 in a case registered for the offences punishable
under Sections 188, 290 of the I.P.C. and Sections 30(a) and
56(d) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from an auto rickshaw being driven
by the petitioner, 18 litres of country made illicit liquor were
recovered.

It is submitted by learned counsel for the petitioner
that the petitioner was not aware about the illicit liquor being
kept in the auto rikshaw. In fact, the recovered liquor has kept
by any passenger. 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 said recovery has been made from the auto rickshaw being driven by the petitioner.

Considering the fact that the said recovery being made from a public carrier 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 2nd ADJ-cum-Special Judge, Excise Act, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No.97 of 2019.

(Dinesh Kumar Singh, J)

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