

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19081 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- GAURICHAK District- Patna

Abhi Raj, Son of Lalit Singh, Resident of Bhagwanpur, P.S.-Fatuha, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 20.02.2019 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 the informant received a secret information that two persons are travelling on a motorcycle carrying illicit liquor, whereupon, a raid was laid and a motorcycle was intercepted, on which two persons were found travelling, but the co-accused person, who was driving the motorcycle escaped from the scene, whereas, the petitioner being the pillion rider was apprehended on the spot. It is further alleged that from the motorcycle, 40 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that



the petitioner has been falsely 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 submits that recovery has been made from the conscious physical possession of the petitioner and petitioner is named in the FIR.

Considering the nature of recovery and period under custody, 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 **Special Judge Excise, Patna** in connection with **Special Case No.1942 of 2019** arising out of **Gaurichak P.S. Case No.83 of 2019**.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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