

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18350 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- FULKAHA District- Araria

Subodh Yadav, Son of Raju Yadav, Resident of Village - Diwanganj, P.S.-
Diwanganj, District - Sunsari (Nepal)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

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
25.02.2019 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 four persons were
apprehended by the villagers 36 litres of illicit Nepali liquor
were recovered on a motorcycle. The petitioner was one of
them.

It is submitted by learned counsel for the petitioner
that the prosecution case does not suggest as to what quantity of
recovery has been made from the possession of the petitioner
and 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 has been made by four persons.

Considering the fact that the petitioner was handed over to the police by the private persons and statement being 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 2nd Additional Sessions Judge -cum- Special Judge, Araria in connection with Special Case No. 131 of 2019, arising out of Fulkaha P.S. Case No. 16 of 2019.

(Dinesh Kumar Singh, J)

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