

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18747 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- DIDARGANJ District- Patna

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1. Sintu Kumar, s/o Lal Babu Rai @ Yadav Resident of Mohalla- Dildarganj, Ward No. 72, P.S.- Dildarganj, District- Patna
 2. Neelam Devi W/o Lal Babu Rai @ Yadav Resident of Mohalla- Dildarganj, Ward No. 72, P.S.- Dildarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioners are languishing in custody since 25.01.2019 in connection with Special Case No.946 of 2019, arising out of Didarganj P.S. Case No.28 of 2019 registered for the offences punishable under Sections 30(a), 38(1), 37(C) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the house of the co-accused Lal Babu who happens to be the father of the petitioner No.1, 1302 litres Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the conscious physical



possession of the petitioners rather the said recovery has been made from the house of the father of the petitioner No.1. It is further submitted that the petitioners are not having criminal antecedent, statement to that effect is made in paragraph no.3 of the bail application.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that the recovery has been made from the petitioner.

Considering the fact that the seizure list does not suggest the name of the petitioners and the fact that petitioners are not having criminal antecedent, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.946 of 2019, arising out of Didarganj P.S. Case No.28 of 2019.

(Dinesh Kumar Singh, J)

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