

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19534 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- VIJAYEPUR District- Gopalganj

Sonu Gupta, Son of Vyas Gupta, Resident of Village- Bhorey, Police Station- Bhorey, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 16.02.2019 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 petitioner being a pillion rider of the motorcycle was apprehended on chase and from the bag, 7 litres of illicit foreign liquor and from the intercepted motorcycle, 30 litres of illicit country made 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 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 from the motorcycle on which petitioner was a pillion rider.

Considering the nature of recovery and the period under custody, coupled with the statement 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 IInd Additional Sessions Judge -cum- Special Judge (Excise), Gopalganj in connection with Vijaipur P.S. Case No. 19 of 2019.

(Dinesh Kumar Singh, J)

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