

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20088 of 2019

Arising Out of PS. Case No.-130 Year-2019 Thana- SHASTRINAGAR District- Patna

Santosh Kumar Son of Sri Sahveer Prasad Gupta, Resident of Village- Lah Bazar, P.S.- Town Chhapra, District- Chhapra (Saran) At present Ambedkar Path, Jyoti Puram Colony in side of Community Hall, P.S.- Shastrinagar, Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 19.02.2019 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 23.145 litres of Indian Made Foreign Liquor were recovered from the bathroom of the house of co-accused Bimala Devi. It is alleged against the petitioner that he was the tenant in the said house of co-accused Bimala Devi.

It is submitted by learned counsel for the petitioner that admittedly, no recovery has been made from the conscious physical possession of the petitioner and he is simply a tenant of



the said land from where the recovery has been made. A statement has been made in paragraph no.3 of the petition that apart from the present case, the petitioner is also accused in one other case.

Learned APP submits that the recovery has been made from the house, where the petitioner was the tenant.

Considering the nature of recovery made from the bathroom of the house of co-accused Bimala Devi and period under custody, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Shastri Nagar P.S. Case No. 130 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

