

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35236 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

MUNA RAM @ MUNNA RAM Son of Ramnath Ram Resident of Village
-Barnaiya Gokhul, P.S.- Gopalpur, Distt - Gopalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 9.3.2019 in a case registered for the offences punishable under Section 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the dicky of the Wagon-R car driven by the petitioner, 62.280 litres of Indian Made Foreign Liquor was recovered.

It is submitted by learned counsel for the petitioner that the seized Wagon-R car does not belong to the petitioner and the recovery has not been made from his conscious physical possession. It is further submitted that the person who was travelling in the alleged car has been granted bail. 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 car which was being driven by the petitioner.

Considering the nature of accusation, the fact that the person who was travelling in the car in question has been granted bail and the period under custody, coupled with statement made in paragraph 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 Additional Sessions Judge -II-cum-Special Judge, Excise, Gopalganj in connection with Kuchaikot P.S. Case No.74 of 2019

(Dinesh Kumar Singh, J)

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