IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34765 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- GOVERNMENT OFFICIAL COMP. District- Muzaffarpur

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NAND LAL SAHANI Son of Late Devaki Sahani Resident of Village-Kurnowl Chaturbhuj, Police Station-Sahebganj, District-Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Upendra Kumar Chaubey
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 06-04-2019 in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the house of the petitioner, 5 litres country made Mahua liquor however, 225 kg. fermented Mahua were destroyed since it was not in a position of being collected.

It is submitted by learned counsel for the petitioner that actually, recovery is of 5 litres of country made liquor. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been made from the petitioner.

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Considering the nature of recovery, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. and the period in custody, 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 Special Judge, Excise Act, Muzaffarpur in connection with Excise Case No. 53 of 2019.

(Dinesh Kumar Singh, J)

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