

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34771 of 2019

Arising Out of PS. Case No.-328 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

-
1. PRAHLAD NISHAD Son of Kanhaiya Nishad @ Kanhi Mukhiya Resident of Village-Dounaha, Police Station-Dhanha, District-West Champaran.
 2. Harikesh Nishad Son of Prabhu Nishad Resident of Village-Dounaha, Police Station-Dhanha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner are languishing in custody since 12.12.2018 in a case registered for the offences punishable under Sections 30(a), 37(c) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 12.500 litres of illicit country made liquor were recovered from the motorcycle of the petitioner.

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

Considering the nature of recovery and the period in custody, let the petitioners above named be released 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 the learned Special Judge, Excise, Bettiah, District- West Champaran in connection with Excise Case No. 328 of 2018.

(Dinesh Kumar Singh, J)

anil/-

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

