

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34679 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- PIPRA District- Supaul

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PAPPU YADAV @ MUKESH KUMAR Son of Kapaleshwar Yadav @
Kapileshwar Yadav Resident of Village - Jivachhpur, P.S.- Pipara, District-
Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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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 21-03-2019
in a case registered for the offences punishable under Sections
30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the cattle shed of the
petitioner, 78 litres Nepali Liquor was recovered.

It is submitted by learned counsel for the petitioner that
recovery has been made from an open area, hence the recovery
cannot be treated form the conscious physical possession of the
petitioner.

Learned APP submits that the recovery was made from the
cattle shed of the petitioner.

Considering the fact that recovery has been made



from an open area and the period under 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 Addl. District & Sessions Judge-II- cum-Special Judge (Excise), Supaul in connection with Pipra P.S. Case No. 76 of 2019.

(Dinesh Kumar Singh, J)

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