

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35149 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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RANDHIR KUMAR Son of Vijay Singh Resident of Village- Digghi, Police
Station- Nath Nagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Raj Ballabh Singh

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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 25.3.2019 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 a motorcycle was intercepted
when on seeing the police party, the petitioner fled away
leaving behind the motorcycle and a back-pack. It is alleged that
from the back-pack of the petitioner, 28.750 litres of Indian
Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that
the recovery has not been made from the conscious physical
possession of the petitioner. The petitioner is also accused in one
other case of similar nature.



Learned APP submits that the recovery has been made from the back-pack left by the petitioner.

Considering the nature of recovery 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 Additional Sessions Judge -II-cum-Special Judge, Excise, Bhagalpur in connection with Excise Case No. 14 of 2019.

(Dinesh Kumar Singh, J)

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