

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34208 of 2019**

Arising Out of PS. Case No.-430 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

ANIL YADAV Son of Late Ramashary Yadav Resident of Mohalla - Gandhi
Nagar Town School, P.S.- Town, Distt - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 08-04-2019
in a case registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the betel shop of the petitioner, about
3 liters of illicit country made liquor was recovered.

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

Learned APP submits that recovery has been made from
the beetle shop of the petitioner. The petitioner is accused in
other two cases apart from the present one.

Considering the quantity of recovery and fact that
recovery has not been made



from the conscious physical possession of the petitioner, the investigation has already concluded, coupled with 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 Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Excise Case No. 430 of 2019.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

