

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34625 of 2019

Arising Out of PS. Case No.-350 Year-2019 Thana- SAHARSA District- Saharsa

DILIP YADAV S/o Ramchandra Yadav R/o Village- Kahra Ward No. 24, P.S.
and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
13.04.2019 in a case registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 140 litres of country made liquor
were recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner
that the said recovery has been made from the joint family
house of the petitioner, hence, it cannot be treated from the
conscious physical possession of the petitioner. A statement has
been made in paragraph no.3 of the petition that the petitioner is
not having any criminal antecedent.

Learned APP for the State submits that the recovery



has been made from the house of the petitioner.

Considering the nature of recovery coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned Special Judge, Excise Act, Saharsa in connection with Special Case No. 182 of 2019, arising out of Saharsa Sadar P.S. Case No. 350 of 2019.

(Dinesh Kumar Singh, J)

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