

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34932 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- SHERGHATI District- Gaya

RAVINDRA KUMAR Son of Ramashray Prasad @ Ramashray Paswan
Resident of Village- Sawn, P.S. Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Veena Rani Prasad

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 18.3.2019 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 270 litres country made liquor were recovered from the auto rickshaw being driven by the petitioner.

It is submitted by learned counsel for the petitioner that the alleged country made liquor was being carried by the passenger of the said auto rickshaw and the petitioner was simply a driver of the public carrier. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made



from the auto rickshaw being driven by the petitioner.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioner, the period under custody, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 Special Judge, Excise, Gaya in connection with Sherghati P.S. Case No. 104 of 2019.

(Dinesh Kumar Singh, J)

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