

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34403 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- PANAPUR District- Saran

PARAS SAHANI Son of Bhagrasan Sahani Resident of Village- Rampur
Rudra, P.S.- Panapur, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan

For the Opposite Party/s : Mrs.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 01.02.2019 in a case registered for the offences punishable under Section 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

It is alleged that on the basis of secret information, 600 litres of country made liquor were recovered from a boat and the petitioner was found fleeing away from the place of recovery.

It is submitted by learned counsel for the petitioner that admittedly the recovery has not been made from the conscious physical possession of the petitioner. Moreover, the seizure list suggests that the alleged recovery has been made



from the embankment of the river. 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 possession of the petitioner.

Considering the fact that the seizure list does not suggest the recovery from the possession of the petitioner, 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 9th ADJ-cum-Special Judge, Saran at Chapra in connection with Panapur P.S. Case No. 162 of 2018.

(Dinesh Kumar Singh, J)

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