

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34956 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- KORMA District- Sheikhpura

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1. Suraj Dhari, S/o Late Kishori Dhari, R/o village- Isua, P.S.- Sarmera, District- Nalanda. At present resident of village- Murarpur, P.S.- Korma, District- Sheikhpura
 2. Dinesh Ram, S/o Late Baldeo Ram, R/o village- Isua, P.S.- Sarmera, District- Nalanda. At present resident of village- Murarpur, P.S.- Korma, District- Sheikhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioners are languishing in custody since 27.04.2019 in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

It is alleged from the possession of the petitioners, 10 litres each country made illicit liquors were recovered.

It is submitted by learned counsel for the petitioners that the recovery has been made from the place where the petitioners were sitting and not actually from their conscious



physical possession and a statement to that effect has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the recovery has been made from the petitioners.

Considering the nature of recovery and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Sheikhpura in connection with Korma P.S. Case No. 29 of 2019.

(Dinesh Kumar Singh, J)

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