

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34183 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- RAGHOPUR District- Vaishali

DINESH KUMAR RAI Son of Late Rambabu Rai Resident of Village -
Mirampur, P.S.- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rina Sinha

For the Opposite Party/s : Mr.Bharat Bhushan

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 11.04.2019 in a case registered for the offences punishable under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 164 litres of Indian Made Foreign 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 and moreover, the seizure list does not bear the signature of the petitioner. It is further submitted that though the petitioner is accused in one



other case of similar nature, but in that case he is on bail.

Learned APP for the State submits that the recovery has been made from the house of the petitioner.

Considering the period under custody and the recovery being made from the joint family house of the petitioner, 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Vaishali at Hajipur, in connection with Raghopur P.S. Case No. 33 of 2019.

(Dinesh Kumar Singh, J)

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