

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34376 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- SAUR BAZAR District- Saharsa

KAUSHAL KUMAR, Son of Lalan Yadav Resident of Village- Khaira, Police
Station- Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Kumar Sinha
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since 13.04.2019
in a case registered for the offences punishable under Sections
30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the fodder house of the petitioner,
226.425 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that
recovery has been made from the open fodder house, which
cannot be treated as residential house 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 submits that the recovery has been made
from the fodder house of the petitioner.



Considering the fact that recovery has been from an open place and period under custody, coupled with the 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Act, Saharsa in connection with Sour Bazar P.S. Case No. 167 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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