

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35180 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- ATRI District- Gaya

-
1. Bhulai Kumar, Son of Karu Yadav, Resident of Village- Narawat, Police Station- Atri, District- Gaya.
 2. Balmiky Kumar, Son of Subhash Yadav Resident of Village- Marawat, Police Station- Atri, District- Gaya.
 3. Ranjit Kumar, Son of Nathun Yadav, Resident of Village- Narawat, Police Station- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 05.04.2019 in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Sections 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the petitioners and other co-accused persons, 40 litres of illicit country made Mahua liquor, fermented Mahua and other equipment used for manufacturing liquor were recovered.

It is submitted by learned counsel for the petitioners that the recovery has been made from the open place and hence,



the recovery cannot be treated from the conscious physical possession of the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

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 Special Judge, Excise, Gaya in connection with Atri P.S. Case No. 133 of 2019.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

