

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34386 of 2019

Arising Out of PS. Case No.-247 Year-2019 Thana- NARPATGANJ District- Araria

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AMRENDRA KR. YADAV @ AMRENDRA KUMAR YADAV Son of Arun
Yadav Resident of Village - Madhura Uttar, P.S.- Narpatganj, Dist.- Araria.
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Indra Kumar Singh

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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
19.04.2019 in a case registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that the petitioner was apprehended while
driving a Scorpio vehicle from which 30 litres of Nepali liquor
were recovered and at the instance of the petitioner from a
bamboo orchard, 187.8 litres of Nepali liquor were recovered.

It is submitted by learned counsel for the petitioner that the
vehicle in question is not registered in the name of the petitioner
and the petitioner, being the driver of the vehicle in question
was not aware about the liquor being transported through the
seized vehicle in question. So far as recovery of liquor



from the bamboo orchard is concerned, it cannot be treated from the possession 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 for the State submits that the recovery has been made from the vehicle which was driven by the petitioner and at whose instance further recovery of liquor was made from a bamboo orchard.

Considering the nature of recovery, the period under custody 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 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Narpatganj P.S. Case No. 247 of 2019, Special Case No. 557 of 2019.

(Dinesh Kumar Singh, J)

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