

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34650 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- MAJHAULIA District- West Champaran

PUNYADEO MAHTO @ PUNDEV DHAGAD S/O Sukhdeo Mahto
Resident of Village- Pakdi, Dhangar Toli, P.S.- Majhauria, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since
18.03.2019 in a case registered for the offences punishable
under Sections 30(a) and 37(c) of the Bihar Prohibition and
Excise Act, 2016.

It is alleged that from the possession of the petitioner,
50 litres of country made liquor were recovered.

It is submitted by learned counsel for the petitioner
that the recovery has been made from a public place, hence, it
cannot be treated from the conscious physical possession of the
petitioner. A statement has been made in paragraph no.3 of the
petition that apart from the present case, the petitioner is



accused in one other case of similar nature.

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

Considering the nature of recovery from a public place, 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 Special Judge, Excise Act, West Champaran, Bettiah in connection with Majhauriya P.S. Case No.95 of 2019.

(Dinesh Kumar Singh, J)

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