

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34918 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- DHANSOI District- Buxar

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1. Dablu Sah, Son of Jagu Sah @ Jakhu Sah Resident of Village - Dulpha, P.S.- Dhansoi, Dist.- Buxar.
 2. Shiv Prakash Kushwaha, Son of Ramsnehi Kushwaha @ Ramsanhi Singh Resident of Village - Dulpha, P.S.- Dhansoi, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioners are languishing in custody since 19.03.2019 in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

It is alleged that 5-6 persons were coming on two motorcycles when on chase three persons were apprehended and from the motorcycles 27.72 litres of illicit Indian made foreign liquors were recovered.

It is submitted by learned counsel for the petitioners that the recovery has not been made from the conscious physical



possession of the petitioners and 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 recovery has been made from the petitioners.

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 Additional Sessions Judge 2nd -cum- Special Judge, Excise Act, Buxar in connection with Dhansoi P.S. Case No. 31 of 2019.

(Dinesh Kumar Singh, J)

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