

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34741 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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DILSU SAHANI @ VILASU SAHANI Son of Gena Sahani Resident of
Village- Akbarpur, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the petitioner and 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 from the house of the petitioner 35 litres
of illicit toddy were recovered.

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



the house of the petitioner and he is named in the FIR.

Considering the nature of recovery 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 2nd Addl. Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Excise Case No. 139 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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