

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35204 of 2019**

Arising Out of PS. Case No.-57 Year-2019 Thana- GOGRI District- Khagaria

DOMI SINGH Son of Shivchu Singh Resident of Village - Imadpur Bind  
Toli, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kumar Praveen

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      29-05-2019                      Heard learned counsels for the petitioner and the  
State.

The petitioner is languishing in custody since 25.02.2019  
in a case registered for the offence punishable under Section  
30(a) and 30(c) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from the hut of the petitioner 20 litres of  
toddy were recovered whereas 10 litres of toddy were destroyed  
by the petitioner.

It is submitted by learned counsel for the petitioner that  
recovery has been made from a hut which is having no door,  
hence the recovery cannot be treated 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 hut of the petitioner.

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 Special Judge, Excise, Khagaria in connection with Gogri P.S. Case No. 57 of 2019.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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