

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56104 of 2019

Arising Out of PS. Case No.-394 Year-2019 Thana- BANKA District- Banka

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KUNDAN KUMAR Son of Upendar Yadav Resident of Village- Vishanpur,
P.S.- Bihra and District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is in custody since 15.06.2019 in
connection with Banka (Barahat) P.S. Case No. 394 of 2019
registered for the offence punishable under Sections 30(a)32(a)
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
though the alleged recoveries were saddled on his shoulder, he
is merely a driver of the vehicle and the alleged recoveries were
not from his conscious possession. It is further submitted that
save and except one other case under Excise Act in which he is
already on bail, the petitioner has no criminal antecedent.

In view of the aforementioned facts and
circumstances, let the petitioner above named be released on
bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge II at Banka, in connection
with Banka (Barahat) P.S. Case No. 394 of 2019.

(Anjana Mishra, J)

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