

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4717 of 2019

Arising Out of PS. Case No.-206 Year-2018 Thana- MOKAMAH District- Patna

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Mukund Kumar, Son of Shivnandan Singh, Resident of Village- Barahpur,
P.S- Mokama, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody since 20.11.2018 in a case registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 1980 litres of country made liquor was recovered in a pickup van parked in the premise of middle school. It is further alleged that the petitioner was indulged in sale of the recovered illicit country made liquor.

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 involved in



one another case in which he is on bail.

Learned APP for the State submits that on the instruction of the petitioner the said illicit liquor was kept in the premise of the middle school.

Considering the fact that said recovery has not made from the conscious physical possession of the petitioner, 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 Court, Patna** in connection with **Mokama P.S. Case No. 206 of 2018 in Spl. Case No. 7207 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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