

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62359 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- HARLAKHI District- Madhubani

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HARIDAY YADAV @ HIRDAY YADAV S/o Late Tilak Yadav R/o Village-
Umgaon, Ward No. 12, P.S.- Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 6.8.2019 in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the backyard of the house of the petitioner, 18 litres of Nepali liquor was recovered from grass kept in a bag.

It is submitted by learned counsel for the petitioner that recovery has not been made from the conscious physical possession of the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that on secret information, raid was



laid and recovery has been made from the backyard of the petitioner's house.

Considering the quantity of recovery which was made from an open area, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the period under custody, let the petitioner above named 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 the learned Additional Sessions Judge -II-cum-Special Judge, Excise Act, Madhubani in connection with Harlakhi P.S. Case No.149 of 2019.

(Dinesh Kumar Singh, J)

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