

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62317 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- RAJNAGAR District- Madhubani

ABDULLAH SEIKH @ ABDULLAH SEKH @ LADDU @ ABDUL SEKH
Son of Late Jahir Sekh @ Md. Jahir Resident of Village-Mangrauni Sekh Toli,
P.S.-Rajnagar, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mrs. Pushpa Sinha-1, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 22.08.2019 in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

It is alleged that from the house of the petitioner, 576 litres of Nepal made illicit liquor were recovered.

It is submitted by learned counsel for the petitioner that the said recovery has not been made from the conscious physical possession of the petitioner, rather it has been recovered from the joint family house of the petitioner. Moreover, the seizure list does not bear the signature of any



independent witness. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the said recovery has been made from the house of the petitioner.

Considering the said recovery being made from the joint family house of the petitioner and coupled with 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. Case No.135 of 2019.

(Dinesh Kumar Singh, J)

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