

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62612 of 2019

Arising Out of PS. Case No.-476 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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RANJIT KUMAR @ RANJEET KUMAR Son of Late Sitaram Mahto
Resident of Village- Chhotki Bhasar, Ward No. 07, P.S.- Kanhauli, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
02.08.2019 in a case registered for the offence punishable
under Section 30(a) of the Bihar Excise and Prohibition Act,
2016.

It is alleged that the informant was caught hold
while crossing Nepal's border with 306 litres of Nepali illicit
liquor.

It is submitted by learned counsel for the petitioner
that it appears very unreasonable that the petitioner was caught
carrying 306 litres of illicit liquor, but no vehicle was seized
from the petitioner. Hence, it cannot be presumed that the said



recovery has 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 not having any criminal antecedent.

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

Considering the nature of recovery 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 ADJ-II-cum-Special Judge (Excise), Sitamarhi, in connection with C-2 Case No.476 of 2019.

(Dinesh Kumar Singh, J)

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