

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.63306 of 2019**

Arising Out of PS. Case No.-92 Year-2019 Thana- BAGHA District- West Champaran

VINAY JAISWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH  
ORAL ORDER**

2      25-10-2019                      Heard learned counsels for the parties.

The petitioner is languishing in custody since 3.7.2019 in a case registered for the offences punishable under Sections 272,273 and 414 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 720 ml country made liquor was recovered from the motorcycle on which three persons were travelling. It is further alleged that co-accused Rakesh Sahani is escaped from the scene who is alleged to be the driver of the petitioner.

It is submitted by learned counsel for the petitioner that recovery has not been made from the conscious physical possession of the petitioner.

Learned APP submits that the petitioner is having criminal



antecedent.

Considering the quantity of recovery, that too not from the conscious physical possession of the petitioner 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 Special Judge, Excise, West Champaran at Bettiah in connection with Bagaha, Patkhauli P.S. Case No. 92 of 2019.

**(Dinesh Kumar Singh, J)**

anil/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

