

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74682 of 2019

Arising Out of PS. Case No.-231 Year-2019 Thana- BARBIGHA District- Sheikhpura

PINTU CHAUDHARY Son of Late Mahendra Choudhary Resident at Village
- Narayanpur, P.S.- Barbigha, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh, Adv.
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 22.10.2019 in a case registered for the offences punishable under Sections 30(a) and 30(d) of the Bihar Excise and Prohibition Act, 2016.

It is alleged that one litre of country made liquor was recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that the said recovery has been made from the joint family house of the petitioner, hence, the said recovery cannot be treated from his conscious physical possession. 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 quantity of recovery being made from the joint family house, 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), Sheikhpura, in connection with Barbigha P.S. Case No. 231 of 2019 and in Excise Case No. 361 of 2019.

(Dinesh Kumar Singh, J)

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