

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74694 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- KHAGAUL District- Patna

MD. AADIL Son of Md. Aslam @ Md. Gujrati Resident of Village - Chiktoli
(Near Gol Patthar), Choti Khagaul, P.S.- Khagaul, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Kalyan Shankar, 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 22.07.2019 in a case registered for the offence punishable under Section 30(a) of the Bihar Excise and Prohibition Act, 2016.

It is alleged that on the basis of secret information, 87.260 litres of Indian Made Foreign Liquor were recovered from a Railway Quarter when one persons was apprehended from the spot, who disclosed his name as Md. Sikandar Khan. The apprehended co-accused disclosed the name of the petitioner as a person who fled away from the place of recovery.

It is submitted by learned counsel for the petitioner



that admittedly the said recovery has not been made from the conscious physical possession of the petitioner, rather it has been made from the possession of the co-accused, Md. Sikandar Khan, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 19.09.2019, passed in Criminal Miscellaneous No. 57632 of 2019. 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 petitioner was found fleeing away from the place of recovery.

Considering the fact that recovery has not been made from the possession of the petitioner and the investigation already being concluded, 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 Special Judge (Excise), Patna, in connection with Khagaul P.S. Case No. 181 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

