

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77247 of 2019**

Arising Out of PS. Case No.-130 Year-2019 Thana- HASPURA District- Aurangabad

Guddu Yadav, Son of Vijay Yadav @ Vijay Kumar Singh, Resident of Village-  
Chandi, P.S.- Haspura, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs.Leelawati Kumari

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**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 05.10.2019 in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

It is alleged that 30 litres of country made liquor has been recovered from the house of the petitioner

It is submitted by learned counsel for the petitioner that the recovery has not been made from conscious physical possession of the petitioner rather the recovery has been made from the joint family house of the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

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



Considering the quantity of recovery and the fact that the recovery has not been made from physical conscious possession of the petitioner, coupled with the statement made in paragraph 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 Sessions Judge-VII -cum- Special Judge (Excise), Aurangabad in connection with Haspura P.S. Case No. 130 of 2019.

**(Dinesh Kumar Singh, J)**

DKS/-

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