

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79224 of 2019

Arising Out of PS. Case No.-963 Year-2019 Thana- BIHTA District- Patna

=====

Ajay Yadav, Son of Randhir Yadav @ Randhir Ray, Resident of Village -
Maudahi, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mrs.Renu Kumari

=====

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
20.10.2019 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 from an auto rickshaw being driven
by the petitioner, 250 litres of country made liquor was
recovered.

It is submitted by learned counsel for the
petitioner that the petitioner was simply a driver of the said auto
rickshaw and he was not aware about the liquor being carried in
the auto rickshaw and in fact the said liquor was carried by
one of the passengers. 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 auto rickshaw being driven by the petitioner.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioner and statement being 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 Special Judge, Excise Act, Patna in connection with Special Case No. 9293 of 2019, arising out of Bihta P.S. Case No. 963 of 2019.

(Dinesh Kumar Singh, J)

DKS/-

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

