

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77257 of 2019

Arising Out of PS. Case No.-356 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Bilash Rai, Son of Vijay Ray, Resident of Village - Mahesha Farakpur, P.S.-
Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mrs.Meena Singh

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 05.09.2019 in a case registered for the offences punishable under Sections 30(a), 30(g), 38(i)(ii), 41 of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from an auto rickshaw being driven by the petitioner, 131.400 litres of Indian Made Foreign Liquor was recovered.

It is submitted by learned counsel for the petitioner that the petitioner 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 and the investigation has already been concluded. 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 an auto rickshaw being driven by the petitioner.

Considering the fact that the recovery has not been made from conscious physical possession of the petitioner and period under custody, 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-II -cum- Special Judge, Excise Act, Sitamarhi in connection with Runnisaidpur P.S. Case No. 356 of 2019.

(Dinesh Kumar Singh, J)

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