

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81251 of 2019

Arising Out of PS. Case No.-185 Year-2019 Thana- GHANSHYAMPUR District- Darbhanga

1. DUKHI KUMAR YADAV Son of Mahavir Yadav Resident of Village - Baghras, P.S.- Ghanshyampur, Distt.- Darbhanga.
2. Amarjit Mukhiya Son of Gosai Mukhiya @ Gangai Mukhiya Resident of Village - Goswa, P.S.- Alinagar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasudeo Ram

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 12.9.2019 in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the motorcycle on which the petitioners were travelling, 20.25 litres Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioners that the recovery has not been made from the conscious physical possession of the petitioner. 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 motorcycle on which the petitioners were travelling.

Considering the nature of recovery, statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent and the period under custody, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Darbhanga in connection with Ghanshyampur P.S. Case No. 185 of 2019.

(Dinesh Kumar Singh, J)

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