

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79220 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- ROSHANGANJ District- Gaya

Pankaj Kumar, Son of Suresh Rajak, Resident of Village- Juri, P.S.-
Raushanganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mrs.Sangeeta Sharma

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 24.07.2019 in a case registered for the offences punishable under Sections 30(a)/30(d) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 30 litres of Mahua liquor, some equipment used for manufacturing liquor and 10 kgs fermented Mahua were recovered when two persons were apprehended including the petitioner.

It is submitted by learned counsel for the petitioner that the recovery has been made from an open area and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Moreover,



investigation has already been concluded.

Learned APP submits that the petitioner was apprehended from the place of recovery.

Considering the fact that the investigation has already been concluded and recovery has not been made from conscious physical 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 Special Judge, Excise, Gaya in connection with Raushanganj P.S. Case No. 145 of 2019.

(Dinesh Kumar Singh, J)

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