

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83994 of 2019

Arising Out of PS. Case No.-352 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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Md. Barijul @ Barijul, Son of Md. Akbar Ali, Resident of Village -
Kushalpur, P.S.- Pranpur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 02.11.2019
in a case registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on secret information that
liquor is being transported through train, raid was laid when
some accused persons were found throwing the liquor from the
train at Katihar Railway station yard when other accused
persons including the petitioner were found collecting the same.
Ultimately, 166.2 litres of country made liquor were recovered.

It is submitted by learned counsel for the petitioner that
recovery has not been made from the conscious physical



possession of the petitioner and only on the basis of suspicion, the petitioner has falsely been roped in the present case. Moreover, investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was found collecting the liquor at Katihar Railway Station yard.

Considering the nature of recovery and the fact that investigation has already been concluded and the period under custody, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge (Excise), Katihar in connection with CI Case No. 352 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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