

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84059 of 2019**

Arising Out of PS. Case No.-362 Year-2019 Thana- PALASI District- Araria

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MITHILESH MANJHI @ MITHLESH Son of Nandlal Manjhi Resident of
Village Kankhudiya, P.S.- Palasi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr.Nand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
03.11.2019 in a case registered for the offence punishable
under Section 30(a) of the Bihar Excise and Prohibition Act,
2016, as amended by Amendment Act 8 of 2018.

It is alleged that 5.800 litres of Codeine syrup has
been recovered from the motorcycle of the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the motorcycle in
question, statement to that effect has been made in paragraph
No. 10 of the petition. A statement has been made in paragraph
No.3 of the petition that the petitioner is not having any
criminal antecedent.



Learned APP for the State submits that the recovery has been made from the possession of the petitioner.

Considering the fact that there is nothing on record to suggest that the sample of the seized material was sent for chemical examination, period under custody and statement made in paragraph no.3 of the petition to the effect 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 ADJ-II-cum-Special Judge (Excise), Araria, in connection with Special Case No. 1501 of 2019, arising out of Palasi P.S. Case No. 362 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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