

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84257 of 2019**

Arising Out of PS. Case No.-168 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

BIKKI KUMAR @ RAKESH KUMAR @ VIKKI KUMAR @ VIKKI RAM,  
S/o Mainekar Ram @ Mainekar Ram R/o Mohalla- Prabhunath Nagar,  
Dahiawan, P.S.- Chapra Mufassil, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satya Prakash, Adv.

For the Opposite Party/s : Mr.Ram Bachan Singh, APP

**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 21.11.2019 in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 38(2) of the Bihar Excise and Prohibition Act, 2016, as amended by the Amendment Act 8 of 2018.

It is alleged that 57.900 litres of Indian Made Foreign Liquor has been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that since the recovery has been made from the joint family house, hence, it cannot be treated from the conscious physical



possession of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is accused in one other case of similar nature.

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

Considering the claim of the petitioner to the effect that the said recovery has been made from the joint family house and the period under custody, 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), Saran at Chapra, in connection with Chapra Muffasil P.S. Case No. 168 of 2019.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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