

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39900 of 2016

Arising Out of PS.Case No. -263 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

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1. Bhukhan Singh Son of late Mahabir Singh Resident of Village- Asani ,
P.S. - Udwant Nagar, District Bhojpur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 17-09-2016

Heard learned counsel for the petitioner as well as
learned APP.

On the eve of assembly election, a raid was
conducted in the house of one, Bhagwan Singh and during course
thereof, from Bhusaula country made wine as indicated was
recovered. In similar course, house of the petitioner was also
searched wherefrom 100 litres country made wine was seized. At
the time of search, neither petitioner nor Bhagwan Singh was
present.

From the order impugned as well as para-3 of the
instant petition, it is evident that petitioner happens to be accused
in eight cases and majority of which happens to be under Excise
Act. It suggests the conduct of the petitioner to be a habitual one.
After all, the society should be protected from such kind of

menace and further, that happens to be the reason behind subsequent amendment in the Excise Act. Furthermore, it is evident that the instant case has been registered on 29.09.2015 while the petitioner had surrendered on 07.04.2016.

Considering the custodial period of petitioner, petitioner, Bhukhan Singh is directed to be released on bail on furnishing bail bond of Rs.10,000/- with one surety and the another surety would be cash of Rs. 50,000/- which the petitioner will deposit before the learned lower court before his release and further will be subject to forfeiture in case, petitioner is found involved with subsequent case arising out of Excise Act, to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwant Nagar PS Case No. 263 of 2015.

(Aditya Kumar Trivedi, J)

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