

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38290 of 2016**

Arising Out of PS.Case No. -86 Year- 2016 Thana -GOVT. OFFICIAL COMPLAINT CASE  
District- SEKHPURA

SHRAWAN SINGH @ SHARWAN SINGH, son of Late Kamleshwari  
Singh @ Kameshwar Singh R/o Village-Pinjari, P.S.-Barbigha, Distt.-  
Sheikhpura

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Sri Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      17-09-2016                      Heard Sri (Dr.) Anjani Prasad Singh, learned  
counsel for the petitioner and Mr. Matloob Ram, learned Addl.  
Public Prosecutor.

The sole petitioner, apprehending his arrest in  
connection with Case no.86 C-2/2016 registered for the offence  
under Section 47(a) of the Bihar Excise (Amendment) Act, 2016  
has prayed for grant of bail, in the event of his arrest or surrender.

It was submitted by learned counsel for the  
petitioner that recovery of 76.08 liter country made liquor and six  
liter of foreign liquor was shown from the cow-shed of the  
petitioner, whereas the petitioner and his family members at the  
relevant time had gone outside to attend a marriage ceremony. He

submits that recovery has been affected without conscious possession of the petitioner and the petitioner is having clean antecedent.

Mr. Matloob Rab, learned Addl. Public Prosecutor has vehemently opposed the prayer for anticipatory bail of the petitioner on the ground that huge quantity of country-made liquor besides six liters of foreign liquor was recovered. He submits that the petitioner may not be enlarged on anticipatory bail keeping in view the seriousness of accusation.

However, keeping in view the fact that the recovery was shown from a cow-shed of the petitioner and at the relevant time, the petitioner was not present, let the petitioner, namely, Shrawan Singh @ Sharwan Singh, in the event of his arrest or surrender within six weeks from today, 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 Chief Judicial Magistrate, Sheikhpura in connection with Case no.86 C-2/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

**(Rakesh Kumar, J)**

NKS/-

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