

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32579 of 2016**

Arising Out of PS.Case No. -117 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-  
GOPALGANJ

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Bhola Sah son of late Mangal Sah, resident of village-Sahebganj Navanagar  
Nijamat, P.S.- Sahebganj, District-Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binay Kumar Singh

For the Opposite Party/s : Smt. Veena Rani Prasadd.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      19-08-2016                      Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is seeking bail in connection with Excise Case No. 117 of 2016 registered for offence under section 47(a) of the Bihar Excise Act and 54 of the Bihar Excise (Amendment) Act, 2016.

As per the allegation, 18 litres of foreign liquor has been recovered from the possession of the petitioner.

The counsel for the petitioner submits that the petitioner is in custody since 29.05.2016.

Looking to the period of custody and nature of allegation, let the petitioner, Bhola Sah, be released on bail on his 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, Gopalganj in connection with Excise Case No. 117 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

Mahesh/-

(Shivaji Pandey, J)

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