

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55476 of 2016

Arising Out of PS.Case No. -287 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

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Sikander Sah, Son of Shyam Lal Sah, Resident of Village – Chakiya
Mohalla, P.S. Kudra, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

This is an application for grant of regular bail for
offences punishable under Section 30A/38 of the Bihar Excise
Act.

It has been submitted on behalf of the petitioner that
though huge quantity, as alleged, has been recovered from the
possession of the petitioner but as a matter of fact, the said
recovery has not been made from the house of the petitioner rather
it has been found from a room used for keeping the ‘chara’, which
is accessible to other people also, therefore, it cannot be said that
the said recovered liquor belongs to the petitioner. The petitioner
has been judicial custody since 03.11.2016.

Heard learned A.P.P. also.



Having heard both sides. In view of the fact that alleged recovery has not been made from the conscious possession of the petitioner rather the same was recovered from a place, which is accessible to other people also and the petitioner has been in judicial custody since 03.11.2016, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Kudra P.S. Case No. 287 of 2016.

(Vinod Kumar Sinha, J)

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