

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50067 of 2016

Arising Out of PS.Case No. -220 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

Shiv Shankar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Iftekhhar Mahmood, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-11-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 21.08.2016 in a
case registered for offences punishable under Section 47 of the
Bihar Excise (Amendment) Act, 2016.

The prosecution case, in brief, is that on 20.08.2016 the
informant and armed forces stopped the tanga of the informant and
on search, 11.700 Ml. of Nepali Saufi wine were recovered from
Tanga and seizure list was prepared.

It has been submitted that the petitioner is innocent
and has not committed any offence. He further submits that he has
no criminal history and considering the small quantity of Nepali
saufi wine, he may be enlarged on bail.

Learned counsel for the petitioner submits that the

female horse, which was also seized, which was the only livelihood of the petitioner, has died after seizure made by the police. He further submits that the seizure list has not been signed by any of the witnesses.

However, the learned A.P.P. of the State submits that the petitioner is named in the F.I.R. hence, opposes the prayer for bail.

Be that as it may that since the petitioner has no criminal history and considering the period of custody, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction learned Chief Judicial Magistrate, Sitamarhi in connection with C2/220/2016.

(Nilu Agrawal, J)

Sudha/-

U		T	
---	--	---	--