

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56303 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -NAUBATPUR District- PATNA

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Sanjay Singh, Son of Late Ramesh Prasad Singh, Resident of Village-
Neema, Police Station- Dhanarua, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-12-2017

The petitioner seeks bail in connection with

Special Case No. 977 of 2017, arising out of Naubatpur P.S. Case
No. 27 of 2017 dated 31.01.2017 instituted for the offences under
Sections 30, 38(1), 41(1) of the Bihar Prohibition and Excise Act,
2016.

Though the petitioner has not been named in the
F.I.R but on the information at the time of raid, his house was also
raided and from there, four bottles of liquor were recovered.

Learned counsel for the petitioner has submitted
that the recovery was allegedly made in front of the house of one
Dhiraj Kumar who has been granted bail by a Bench of this Court
on the ground that there had been a partition in his family and the
place from where the recovery was made did not fall in the share



of aforesaid Dhiraj Kumar but of his step brother. Learned counsel for the petitioner, however has submitted that in this case the petitioner has not been arrested from the spot and only because in the past he had been exposing the misdeeds of the local administration, he has been made accused in this case by falsely showing that four bottles of liquor were recovered from his house.

The petitioner is in custody since 20.09.2017.

The petitioner, though prior to the present case had been made accused in several other cases but Mr. Akhileshwar Prasad Singh, Sr. Advocate has submitted that in all such cases, the petitioner has been acquitted. It is precisely for this reason, it has been argued, that the reference of such cases have not been made in para 3 of the petition. However, petitioner is also an accused in Dhanarua P.S. Case No. 415 of 2017 instituted under various provisions of the Arms Act and in that case, a petition for bail is pending before the Court below.

Regard being had to the period of custody of the petitioner, this Court is inclined to grant bail to him.

The petitioner, above named, is directed to 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 Special Judge, Excise, Patna in connection



with Special Case No. 977 of 2017, arising out of Naubatpur P.S.
Case No. 27 of 2017.

(Ashutosh Kumar, J)

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