

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55752 of 2016

Arising Out of PS.Case No. -229 Year- 2016 Thana -ALOULI District- KHAGARIA

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Satish Singh, Son of Late Jaynath Singh, Resident of Village- Dalan
Haripur, P.S.- Alauli, District- Khagaria. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bharat Bhushan

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Alauli P.S.
Case No. 229 of 2016 registered for the offences punishable under
Sections 47, 54 and 57 of the Bihar Excise (Amendment) Act,
2016.

Allegedly, acting on a tip off that illegal wine is being sold,
the Police personnel raided the house of the petitioner and
apprehended him and recovered 140 bottles of foreign wine of
different makes each containing 375 ml. from his house and
accordingly, prepared the seizure list in presence of witnesses.

Submission is of false implication and that there is no
material in the case diary against him, no such recovery of a single
bottle has been made from the house of the petitioner rather
someone fled away after throwing the bag containing bottles in



front of the house of the petitioner and Police apprehended the petitioner, resulting, he is suffering in custody since 14.09.2016 and has sufficiently been penalized.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 229 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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