

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56642 of 2017

Arising Out of PS. Case No.-123 Year-2017 Thana- Sikta District- West Champaran

Shekh Mir Hussain @ Shekh Mir Hashan, S/o Late Shekh Mehendi, R/o Village- Sikta, P.S.- Sikta, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 04-12-2017 Heard Sri Bimlesh Kumar Pandey, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 17-07-2017 in Sikta P.S. Case No. 123 of 2017 registered for offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail.

Learned counsel for the petitioner, at the very outset, has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioner is having clean antecedent. He further submits that in the F.I.R. itself, it was stated that two persons were seen while coming carrying bag in their hands containing liquor, however; one accused, after throwing the bag, fled away, whereas, petitioner was apprehended. In the F.I.R., it has been indicated that total recovery of 270 bottles of 300 ML.



each (i.e. total about 81 liters), but it has not been indicated as to from the bag, which was allegedly in the possession of the petitioner, what was the quantity of liquor. Even in the seizure list, no detail has been mentioned.

Considering the nature of accusation, clean antecedent as well as period of custody, let the petitioner namely Shekh Mir Hussain @ Shekh Mir Hashan be released on bail on 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, Bettiah, West Champaran in connection with Sikta P.S. Case No. 123 of 2017.

(Rakesh Kumar, J.)

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