

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10846 of 2017

Arising Out of PS.Case No. -22 Year- 2012 Thana -GOVERNMENT OFFICIAL COMP. District-
AURANGABAD

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Vidya Sagar Singh @ Dabloo Singh Son of Shri Ram Bali Singh, Resident
of Village- Basa Bigha, P.S.- Salaiya , District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kamendra Pd. Singh, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-04-2017 Heard both sides.

The petitioner apprehends his arrest in Excise Case No.
22 of 2012 registered for the offence punishable under Section
47(A) of the Excise Act, 2016.

The Excise officials got information that the petitioner
kept wine in the house of Ram Pravesh Yadav. The police raided
the house of Ram Pravesh Yadav in which a school was running
and from there 1000 pouches of country made liquor each
containing 200 ml were recovered.

Learned counsel for the petitioner submits that nobody
has seen that the petitioner kept the wine in the house of Ram
Pravesh Yadav. Ram Pravesh Yadav has already been granted
anticipatory bail by a coordinate Bench of this Court on



20.03.2017 passed in Cr. Misc. No. 11343 of 2017.

It appears that after submissions of the prosecution in the year 2012, itself, the court did not take any appropriate step for issuance of summons and only on 17.08.2016 non-bailable warrant of arrest was directed to be issued. It appears that the court below did not take any sorts of actions to procure the appearance of the accused for about more than four years.

Considering the facts aforesaid that nobody has seen the petitioner keeping liquor in the house of Ram Pravesh Yadav, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Aurangabad in Excise Case No. 22 of 2012, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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