

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20171 of 2017

Arising Out of PS.Case No. -144 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Dhirendra Kumar Sah Son of Late Vishundeo Sah, Resident of Village-
Mathahi Bazar, Ward No. 1, P.S.- & District- Madhepura..... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sri Matloob Rab

For the Union of India : - Manoj Kumar Singh, Advocate

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

ORAL ORDER

2 25-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Madhepura P.S.
Case No. 144 of 2017 registered for the offence punishable under
Section 30 (a) of Bihar Prohibition & Excise Act, 2016.

Allegedly, acting on a tip off that the petitioner is selling
liquor in his house, raid was conducted and the petitioner tried to flee
away but was caught and from his house during search 4 bottles Royal
Stag foreign wine each containing 180 ml., 3 bottles of Bagpiper
foreign wine each containing 180 ml. 47 containers of Mcdowel No. 1
Rum each containing 180 ml., 57 containers of officers choice each
containing 180 ml., 84 containers of DPS Black Delux Whisky each
containing 180 ml. were recovered.

Submission is of false implication and that nothing has been
recovered from conscious possession of the petitioner, the house is joint



property where several occupants are residing, the petitioner is in custody since 11.03.2017, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration.

Learned APP submits that the petitioner has confessed his guilt and he has disclosed his friends also who are involved in selling the wine along with him.

In the facts and circumstances stated above, 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, Madhepura in connection with Madhepura P.S. Case No. 144 of 2017, 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.

avin/-

(Jitendra Mohan Sharma, J)

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