

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.8440 of 2018**

Arising Out of PS.Case No. -548 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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Umesh Sah @ Tikar, S/o Rajvanshi Sah, R/o Chakiya Road, P.S.- Siwan  
Mahadewa (O.P.), District- Siwan.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ranjan Kumar Dubey, Advocate.

For the Opposite Party : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

3      27-02-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since  
22.11.2017 in a case for the offence registered under Sections  
41(i) and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 3.960  
liters wine is said to have been recovered.

It has been submitted by learned counsel for the  
petitioner that the petitioner has falsely been implicated in the  
present case. Charge sheet/prosecution report has been submitted  
in the present case. There is no allegation of tampering with the  
witnesses alleged against the petitioner. It is alleged that total  
3.960 liters wine is recovered from joint house of the petitioner.



The name of the petitioner has come on the basis of alleged recovery made from joint house of the petitioner where other family members also reside. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 2<sup>nd</sup> Siwan, in connection with Siwan Mufassil (Mahadewa O.P.) P.S. Case No. 548 of 2017.

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**(Sudhir Singh, J)**

