

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41851 of 2018

Arising Out of PS.Case No. -121 Year- 2018 Thana -BANIAPUR District- SARAN

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Dhruv Singh, Son of Harinarayan Singh, Resident of village – Usati, P.S.-
Baniyapur, District-Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a) and 38 of the Bihar
Prohibition and Excise Act, 2016.

90 litres of foreign liquor is said to have been
recovered from the room of the son of the petitioner namely
Mantosh Kumar Singh @ Mantosh Kumar and the petitioner who
happens to be owner of the said house was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
with the seized liquor. The room from where the liquor was
recovered has been given to his son Mantosh Kumar Singh by the



petitioner. He had no knowledge of keeping of the liquor in the said room by his son. He is living separately in another house and was called at the place of occurrence by the police and was falsely implicated in the case. He has no criminal antecedent. He has been languishing in custody since 16.05.2018. Said Mantosh Kumar Singh has been enlarged on bail by a co-ordinate bench of this court vide order dated 03.07.2018 passed in Cr. Misc. No. 37474 of 2018.

Considering the facts aforesaid, the above named petitioner 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 learned 6th Addl. District and Sessions Judge cum Special Judge, Excise, Saran in connection with Baniyapur P.S. Case No. 121 of 2018.

(Prakash Chandra Jaiswal, J)

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