

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53658 of 2018

Arising Out of PS.Case No. -175 Year- 2018 Thana -ARA MUFFSIL District- BHOJPUR

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Uma Shankar Singh, S/o. Late Ramayan Singh, R/o. Village- Rampur, P.S.-
Ara Muffasil, District- Bhojpur, presently resident of Shital Tola, Ara,
Police Station- Ara Nawada, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 30-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

280.440 litres of foreign liquor is said to have been
recovered from the joint house of the petitioner and his brother
Ramashankar Singh and three accused persons including Ranjeet
Singh were apprehended and other managed to escape.

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. Albeit the house in question is a joint and



undivided house of the petitioner and his brother but petitioner is not residing in the said house rather at Shital Tola for 15 years and had no knowledge of keeping of liquor in the said house. He has been falsely implicated in the case at the instance of his enemy. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 31.07.2018. Apprehended accused, namely, Ranjeet Singh has been enlarged on bail by this court vide order dated 24.07.2018 passed in Cr. Misc. No. 35846.

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 Special Judge, Excise, Bhojpur at Ara in connection with Excise Case No. 907 of 2018 arising out of Ara Muffasil P.S. Case No. 175 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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