

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62191 of 2018

Arising Out of Excise Case No.-235 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Mohan Sah Son of late Munsil Lal Sah, Resident of Village- Gangapur,
Mohalla- Ward no. 2, P.S. Musri Gharari, Distt.Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Adv.
For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-10-2018 Heard Sri Anshudhar Sharma, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Excise
Case no.235 of 2018 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act,2016, has prayed
for grant of bail, in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner
has drawn my attention to the statement made in paragraph-3 of
the petition to show that the petitioner is having clean
antecedent. He has also drawn my attention to the prosecution
report, at page-11 of the brief, to show that in the present case,
recovery of Indian Make Foreign liquor was shown from an
under constructed house of the petitioner. The petitioner is not



residing in the said house and without knowledge of the petitioner, it was alleged that huge quantity of Indian Make Foreign liquor was kept there.

Considering the fact that recovery was made from an under-constructed house as well as the fact that the petitioner is having clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Mohan Sah 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 learned Addl. Sessions Judge-VI-cum- Special Judge, Excise, Samastipur in connection with Excise Case no. 235 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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