

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14535 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -NIRMALI District- SUPAUL

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1. Jiwach Sah Son of Uttim Lal Sah Resident of Nirmali Ward No. 3, Police Station- Nirmali, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 30.01.2018 in connection with S.T. Excise 82/18, arising out of Nirmali P.S. Case No. 14/18 for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information the house of the petitioner was raided and 12.360 litres of foreign illicit liquor and 18.900 of illicit Nepali country-made liquor was recovered from the back of the house. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and



nothing has been recovered from his conscious possession. He submits that the house belonged to a joint family where his father and brother were also living and he could not be picked out to have committed such an offence. Petitioner undertakes to cooperate in the investigation, provide all necessary information and not to tamper with the evidence or prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 A.D.J.-II cum Special Judge (Excise), Supaul, in connection with S.T. Excise 82/18, arising out of Nirmali P.S. Case No. 14/18.

(Nilu Agrawal, J)

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