

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46523 of 2018

Arising Out of PS.Case No. -192 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SAMASTIPUR

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Chandradev Singh, Son of Late Munakka Singh, resident of village – Darba,
P.S. – Halai, O.P. Tajpur, District – Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 31-07-2018

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 Sections 30(a) and 38(1) of the Bihar
Prohibition and Excise Act, 2016.

5 litres of country made liquor is said to have been
recovered from the hut of the petitioner located in his bathan and
the petitioner 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. He has been falsely implicated in the case
by the personnel of Excise department by apprehending him from



his house while he was asleep. The aforesaid liquor was not seized from his hut rather beside his hut. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 29.06.2018.

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 Addl. Sessions Judge-VI cum Special Judge, Excise, Samastipur in connection with Excise Case No. 192 of 2018.

(Prakash Chandra Jaiswal, J)

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