

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53492 of 2018

Arising Out of PS.Case No. -101 Year- 2018 Thana -ISUAPUR District- SARAN

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Baban Sah @ Baban Singh S/o Late Ramdhani Sah, R/o Vill.- Goha Sham
Kauria, P.S.- Isuapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Isuapur P.S. Case 101 of
2018 instituted for the offence under Sections 30, 38, 41 of Bihar
Prohibition and Excise Act, 2016, and 20/22 of N.D.P.S Act.

Counsel for the petitioner submits that there is no
recovery from conscious possession of the petitioner.

It is alleged in the written report that 7 liters of country
mad wine, 360 ml. English wine and 400 grams Ganja kept
hidden in the Bush, behind the house of the petitioner, have been
recovered.

From the seizure list which is part of the First
Information Report it appears that aforesaid articles have been
recovered from the Bush behind the house of the petitioner.



There is no recovery from conscious possession of the petitioner. It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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 6th Additional Sessions Judge, Saran, in connection with Isuapur P.S. Case 101 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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