

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34541 of 2018

Arising Out of PS.Case No. -38 Year- 2018 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Chhotu Singh, Son of Dinanath Singh, Resident of Mohalla- Anjabit Singh
College Road, Ward No. 12, P.S.- Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 21-06-2018 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 36 of the Bihar
Prohibition and Excise Act, 2016.

44 litres of country made liquor and punching machine,
plastic wrapper, jerkin, gallon, etc. were recovered from the half
built hut and 44 litres of country made liquor was recovered from
Maruti Suzuki Car and five persons including the petitioner were
apprehended in the course of escaping. Accused persons are said
to be indulged in packing the illicit liquor at the aforesaid place.

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 either with the aforesaid article or with the place of recovery or with the vehicle in question or any trade of liquor. Allegation levelled against the petitioner is general and omnibus in nature. There is no compliance of Section 100 Cr.P.C. No more case under Excise Act has been lodged against the petitioner. Petitioner has been languishing in custody since 12.02.2018.

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 2nd Additional District and Sessions Judge cum Special Judge, Excise, Rohtas, Sasaram in connection with Bikramganj P.S. Case No. 38 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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