

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58999 of 2018**

Arising Out of PS.Case No. -258 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-  
GAYA

=====

Sanny Kumar, S/o Late Surendra Yadav, R/o Village- Ismailpur  
Bahadurpur Bigha, P.S.- Chandauti, District- Gaya.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

=====

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      28-09-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
24.07.2018 in connection with Excise (Sherghati) P.S. Case No.  
258 of 2018 for offences punishable under Section 30(A) (D) of  
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the Excise Officials,  
is that a Maruti car was intercepted and from the said car 100 liters  
of country made liquor was seized. Accordingly, a seizure list was  
prepared. The petitioner is alleged to be inside the car.

It has been submitted by the learned counsel for the  
petitioner that he is innocent, bears no criminal history, nothing  
has been recovered from his conscious possession and has been



implicated only on suspicion. He submits that although the seizure was made from the car but there was no independent witness, thus it is violation of Section 100 of the Cr. P.C.

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 Special Judge Excise, Gaya in connection with Excise (Sherghati) P.S. Case No. 258 of 2018.

**(Nilu Agrawal, J)**

Devendra/Priyanka

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

