

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3751 of 2019

Arising Out of PS. Case No.-1182 Year-2018 Thana- SAHARSA District- Saharsa

=====

Bipin Jha, son of Bhawash Jha @ Widesh Jha, Resident of Mohalla-Rifujee
Colony P.S-Saharsa, Dist-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 30-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Special Case No.574 of 2018**
arising out of Saharsa Sadar P.S. Case No.1182 of 2018
instituted for the offence under Section(s) 30(a), 38(i), 41(i) of
Bihar Prohibition and Excise Act.

It is alleged in the written report that back portion of
wall of the godown belonging to this petitioner was broken and
bricks were removed. The informant and other police officer
searched the godown and recovered total 2890.080 litres illicit
foreign liquor.

Counsel for the petitioner submits that godown of the
petitioner was sealed by competent authority in connection with



Saharsa Sadar P.S. Case No.607 of 2017 for the offence under Section(s) 419, 420, 465, 469, 475, 476, 457, 453, 456, 488/34 on the ground that adulterated cement was found in the godown. The petitioner was granted anticipatory bail in that case by order dated 04.12.2017 passed in Cr. Misc. No.47252 of 2017. The petitioner has no concern with the seized liquor. He was not present at the spot. The godown is still sealed in that case. The wall has been broken by antisocial elements and they have kept illicit liquor in the godown.

From the written report, it appears that back portion of godown of the petitioner was found to be broken. The Petitioner was not present on the spot at the time of seizure.

Counsel for the petitioner submits that Petitioner has given aforesaid godown on rent to somebody earlier, who is also accused in Saharsa Sadar P.S. Case No.607 of 2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Excise, Saharsa**, in connection with **Special Case No.574 of 2018 arising out of Saharsa Sadar P.S. Case No.1182 of 2018**, subject to the condition that both the bailors shall be close relative of the



petitioner.

(Sanjay Priya, J)

J. Alam/-

U		T	
---	--	---	--

