

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7168 of 2019

Arising Out of PS. Case No.-204 Year-2018 Thana- PANDAUL District- Madhubani

Lal Sah, Son of Shiv Jee Sah, Resident of Village - Lahat, P. S. - Pandaul,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr .Gagan Deo Yadav, Advocate
For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 07-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Pandaul P.S. Case No.204 of 2018** instituted for the offence under Section(s) 272, 273, 406, 420/34 Indian Penal Code and Sections 30(a), 36/38(i) and 41(i) of Bihar Prohibition and Excise Act, 2016.

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

In the written report, it is alleged that police got information that behind poultry farm of Manoj Singh, some persons are indulging in illicit liquor trade and have assembled there and unloading the same. The police reached there and arrested three persons including the petitioner. Accused Manoj Singh managed to run away. The police recovered 2056 litres foreign liquor from the truck, which was standing near the



poultry farm and 1242 litres from poultry farm of Manoj Singh.

Counsel for the petitioner further submits that co-accused, Kanhaiya Prasad Singh @ Ram Charitra Singh, who was arrested along with petitioner, has already been granted regular bail by co-ordinate Bench of this Court by order dated 05.02.2019 passed in Cr. Misc. No.5555 of 2019.

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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **ADJ II cum Special Judge, Excise, Madhubani**, in connection with **Pandaul P.S. Case No.204 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

It appears from para 3 that several cases under the Excise Act is pending against the petitioner. The petitioner will file an Affidavit at the time of filing bail bond that he will not indulge in such activities in future, otherwise, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

J. Alam/-

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