

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12075 of 2019

Arising Out of PS. Case No.-607 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

SHIV DAYAL KUMAR, S/o Shri Jagdish Sah, Resident of village-Batraha,
ward No.26, P.S-Sadar, Distt. Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate.
For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-02-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Special (Excise) Case**
No. 607 of 2018, instituted for the offence under Section(s)
30(A) of Bihar Prohibition & Excise Act, 2016.

The informant alleged in the written report that
during raid, 41 bottles of foreign liquor each containing 180 ml.
kept in plastic bag has been recovered from half constructed
latrine in courtyard of Bam Sharma.

Counsel for the petitioner submits that petitioner
has been arrested merely on suspicion. He is in custody since
10.11.2018.

Considering the aforesaid 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 **Sri Motish
Kumar Singh, learned Special Judge, Excise Act, Saharsa**, in
connection with **Special (Excise) Case No. 607 of 2018**,
subject to the condition that both the bailors will be close
relatives of the petitioner.

It is mentioned in paragraph-3 of the bail petition that
two cases of excise act are pending against the petitioner.
**Petitioner will file affidavit at the time of furnishing bail
bonds that he will not indulge in such type of activity in
future, failing which, the bail bonds of the petitioner in the
instant case will liable to be cancelled.**

(Sanjay Priya, J)

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