

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7783 of 2019**

Arising Out of PS. Case No.-391 Year-2018 Thana- MAHESI District- East Champaran

SHAMBHU SAH, aged 24 years (M), son of Ramchandra Sah Resident of  
Village - Bahadurpur, P.S.- Mehsi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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

2      11-02-2019                      Heard the learned counsel for the petitioner and  
learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Mehsi P.S.  
Case No.391 of 2018 for the offence alleged under Sections  
30(a), 37(d) and 38 of the Bihar Prohibition and Excise Act,  
2016.

The prosecution case as lodged by the police  
personnel is that during search, 25 litres toddy was recovered  
from the house of the petitioner. Accordingly, a seizure list was  
prepared.

It has been submitted by the learned counsel for the  
petitioner that he is innocent, bears no criminal antecedent and  
has been falsely implicated in the aforesaid case. He further  
submits that the said recovery was not made from the conscious



possession of the petitioner and the petitioner is languishing in judicial custody since 25.12.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Mehshi P.S.Case No.391 of 2018 to the satisfaction of learned 7<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari.

**(Nilu Agrawal, J)**

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