

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9548 of 2019

Arising Out of PS. Case No.-588 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Sujeet Sah, aged about 20 years, Male, Son of Satya Narain Sah, Resident of Village- Bhadaura, Western Tola, P.S. - Siwan (Muffasil), District - Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-02-2019

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody since 26.12.2018 in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the informant received a secret information about transportation of illicit liquor, whereupon, a raid was laid, but on seeing the police personnel, four accused persons escaped from the place of occurrence. It is further submitted that from the bush, 432 litres of Indian made foreign liquor were recovered.

It is submitted by learned counsel for the petitioner that the prosecution report does not suggest that the recovery has been made from the conscious physical possession of the



petitioner. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that huge quantity of illicit foreign liquor were recovered and petitioner was seen fleeing away from the place of occurrence.

Considering the fact that seizure list does not suggest any recovery from the conscious physical possession of the petitioner, coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned **Additional Session Judge-2nd-cum-Special Judge, Excise, Siwan** in connection with **Siwan (Mufassil) P.S. Case No.588 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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