

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.74914 of 2018**

Arising Out of PS. Case No.-193 Year-2017 Thana- PANCHRUKHI District- Siwan

Ujagir Gond @ Ujagir Sah, Son of Late Ram Karan Gond, Resident of  
Village- Dhewar, Police Station -Daraunda, District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Amrendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

3      31-01-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since 28.09.2018 in a case registered for the offence punishable under Sections 272,273,308,420 of the Indian Penal Code and Sections 30 and 38 of the Bihar Prohibition and Excise, Act, 2016.

It is alleged that from the orchard of one Ashok Singh, one pickup van and one motorcycle were seized. From the pickup van, 140 litres and from the motorcycle, 26 litres of illegal country made liquor were recovered. Subsequently, the seized motorcycle was found registered in the name of the petitioner.

It is submitted by learned counsel for the petitioner



that admittedly the petitioner was not present at the place of occurrence, hence, the said recovery cannot be treated from the possession of the petitioner. It is further submitted that the investigation has already been concluded. 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 the recovery has been made from the petitioner.

Considering the fact that the investigation has already been concluded, 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Pachrukhi P.S. Case No.193 of 2017.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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