

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23767 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- GOPALPUR District- West Champaran

Hira Sah, Son of Late Sakunchan Sah, Resident of Village-Fajihatwa, Police
Station-Gopalpur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7

For the Opposite Party/s : Mr. Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

20 liters of country made liquor is said to have been
recovered from the house of the petitioner and the petitioner was
apprehended.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or any trade of liquor. The house of the
petitioner is inhabited by his several family members and he had



no knowledge of keeping of the said liquor in the house. Though the petitioner was apprehended on the spot but seizure list does not bear his signature. Moreover, there is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 05.02.2019.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 learned Special Judge Excise, West Champaran at Bettiah in connection with Gopalpur P.S. Case No.16 of 2019.

(Prakash Chandra Jaiswal, J)

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