

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29739 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- HUSSAINGANJ District- Siwan

Shivji Pasi @ Shioji Pashi @ Shioji Chaudhary, Son of Late Kashinath Pasi,
Resident of Village - Gopalpur, P.S.- Hussainganj, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ramadhar Shekhar, Advocate
For the Opposite Party : Mr. Ajay Kumar-I, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Hussainganj P.S. Case No.379 of 2018 registered under Sections
30(a), 36 and 41(i) of the Bihar Prohibition and Excise Act,
2016.

It is submitted by the learned counsel for the
petitioner that the alleged liquor was not recovered from the
conscious possession of the petitioner. The seizure list would
show that only 2 litres of illicit liquor was recovered from the
house of the petitioner, which is occupied by several persons
and the two girls present in the house namely, Madhu Kumari
and Nikki Kumari were made named accused and the copy of
the seizure list was handed over to them.



Learned counsel for the State has opposed the application for grant of bail to the petitioner.

Considering the nature of the offence and the allegation made in the first information report, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise Act, Siwan in connection with Hussainganj P.S. Case No.379 of 2018 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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