

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36357 of 2019**

Arising Out of PS. Case No.-39 Year-2019 Thana- BRAHMPUR District- Buxar

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DIPU SAH, Son of Mangru Sah @ Basropan Sah @ Basaropan Gupta,  
Resident of Village- Sawan, P.S.- Krishna Brahm, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Ms.Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3/ 23-07-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Brahmpur (Krishnabrahm)**

**P.S. Case No.39 of 2019** instituted for the offence under  
Section(s) 30(a) & (c) of Bihar Prohibition and Excise Act, 2016  
Indian Penal Code.

Counsel for the petitioner submits that petitioner has  
not been arrested on the spot. He is alleged to have been  
identified by Chaukidar, who disclosed his name.

In the written report, it is alleged that police got  
information that illicit liquors are being carried in Tempo and  
motorcycle. It is alleged that motorcycle fell down and two  
persons riding on the motorcycle managed to run away. On  
search, five cartons foreign liquor having 48 bottles of 180 ML



each, 695 cartons from truck, 120 cartons from the ground and 20 cartons from the Tempo each having 48 bottles of 180 ML were recovered.

In this manner, there is no recovery from conscious possession of the petitioner. Seizure list is available which does not bear signature of the petitioner.

Petitioner is in custody since 24.04.2019.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the **Additional Sessions Judge II cum Special Judge, Excise, Buxar**, in connection with **Brahmpur (Krishnabrahm) P.S. Case No.39 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioner.

**(Sanjay Priya, J)**

J. Alam/-

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