

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59019 of 2019**

Arising Out of PS. Case No.-35 Year-2019 Thana- MAHINDWARA District- Sitamarhi

Sita Ram Sah, Son of Ram Shreshth Sah Resident of Village - Olipur, P.S.-  
Mahindwara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Asha Devi

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2      19-09-2019                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Mahindwara P.S. Case No. 35 of 2019, registered under  
Sections 30(a),(b),(c),(f)/34/36/41 of the Bihar Excise Act,2016.

The accusation is of recovery of seven litre spirit,  
six bottles each containing 750 ml and 30 bottles each  
containing 375 ml Indian made foreign liquor concealing in  
paddy straw over the land of Md. Jubair. The spy disclosed the  
name of four persons including the petitioner indulging in  
concealing the aforesaid liquor over the land of Md. Jubair.

Learned counsel for the petitioner submits that it  
would appear from the F.I.R. that petitioner was not



apprehended at the spot nor any incriminating materials have been recovered from his possession. Further submission is that petitioner was accused in one another case in similar nature due to that reason he has been implicated in the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi, in connection with Mahindwara P.S. Case No. 35 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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