

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83045 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- DAWATH District- Rohtas

Shivji Singh Son of Mahendra Singh Resident of Village- Fatehganj, P.S.-
Dawath, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Raj Kishore Singh

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

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Dawath
P.S. Case No. 49 of 2019 registered for the offence punishable
under Section 30(a) of Bihar Prohibition & Excise Act-2016.

172.800 lts. of foreign liquor is said to have been
recovered from the straw house located in front of the house of
the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. Petitioner has no concern
with the seized liquor. The straw house of the petitioner located
in front of his house is not under his lock and key and is easily



accessible to all. Petitioner was not apprehended on the spot. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent and has been languishing in custody since 19.10.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, 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 Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Rohtas at Sasaram in connection with Dawath P.S. Case No. 49 of 2019.

(Prakash Chandra Jaiswal, J)

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