

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4113 of 2020

Arising Out of PS. Case No.-221 Year-2019 Thana- BELA District- Sitamarhi

SHATRUGHAN SAH (Male), aged about 45 years, Son of Late Shiva Sah
Resident of Village-Bishnupur, Police Station-Bela, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 10-06-2020 Heard learned counsel for the petitioner as well as
learned A.P.P.

There happens to be an allegation of recovery of 19 pieces of Saufi wine (Nepali), each containing 300 ml., from a house allegedly belonging to the petitioner. There happens to be complete silence at the end of the prosecution whether the petitioner was present or not and in likewise manner, the presence of his family members, if any, as seizure list lacks their presence. Further more, there also happens to be overwriting over the seizure list as well as written report whereat number of bottle of Saufi wine has been incorporated, casting a doubt over genuineness of the prosecution version.

Consequent thereupon considering the principle laid down by the Full Bench of this Court in the case of **Ram Vinay**



Yadav vs. the State of Bihar, reported in 2019(2) PLJR 1089, coupled with the facts and circumstances of the case as disclosed hereinabove, let the petitioner Shatrughan Sah, in the event of his arrest or surrender before the court below within four weeks from today, 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 A.D.J.II cum Special Judge, Excise Act, Sitamarhi in Bela P.S.Case No. 221/2019, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J)

Surendra/-

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