

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10866 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- SISWAN District- Siwan

Mahendra Sah Son of Dharmnath Sah, Resident of Village - Basti Manjhariya, P.S. M.H. Nagar Hasanpura. Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-02-2020 Heard both sides.

Petitioner seeks bail in Siswan (M.H. Nagar) P.S.

Case No.11 of 2020 registered under Section 414 of the IPC and
Section 30(A) of the Bihar Prohibition and Excise Act.

The informant got information that a consignment of liquor was unloaded at the house of Ram Bhajan Yadav and on such information, the informant and other police officials reached at the house of Ram Bhajan Yadav. After seeing the police, 3-4 persons started fleeing away but one Mahendra Sah (petitioner) was arrested. 250.56 litres of liquor was recovered from the house of Ram Bhajan Yadav as well as from the Bolero Jeep.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. The recovery



was made from the house of Ram Bhajan Yadav. The petitioner has no manner of concern with the recovered liquor from the house of Ram Bhajan Yadav and from the Bolero Jeep parked at the *darwaja* of Ram Bhajan Yadav but the police apprehended the petitioner and remanded him in this case. The petitioner is in jail for more than one month for his no fault.

Having considered the facts that the recovery was made from the house of Ram Bhajan Yadav and from the Bolero vehicle and the petitioner was apprehended while he was fleeing away but he remained in custody for more than one month, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge (Excise), Siwan in connection with Siswan (M.H. Nagar) P.S. Case No.11 of 2020.

(Prabhat Kumar Jha, J)

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