

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23452 of 2020

Arising Out of PS. Case No.C2--193 Year-2020 Thana- Complaint District-Sitamarhi

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Shambhu Sah, aged about 35 years Male Son of Late Khobhari Sah
Resident of Village- Sonar Bazar Ward No.7, P.S. Kanhauli District Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMARUPADHYAY
ORAL ORDER

2 17-09-2020 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with Case
No. C2-193 of 2020 for the offences under Section 30(A) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner has no criminal antecedent. In the
instant case total 85.500 litres of *Nepali Saufi* wine was seized.
Learned counsel submits that nothing was recovered from
conscious possession of the petitioner and seizure list was not
prepared under the procedure prescribed under Section 100 of
the Code of Criminal Procedure. Petitioner is in custody since
14.03.2020.

Considering the fact that the petitioner has no
criminal antecedent and he has remained in custody for six
months, t ned to grant bail to him subject to the



condition that the petitioner has to deposit Rs. 25,000/- in cash.

On depositing the amount of Rs.25,000/-, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge-II-cum-Special Judge Excise Act, Sitamarhi in connection with Case No. C2-193 of 2020.

Deposit of Rs.25,000/- (Rupees twenty five thousand) shall abide by final outcome of the instant criminal case.

(Anil Kumar Upadhyay, J)

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