

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77605 of 2019**

Arising Out of PS. Case No.-178 Year-2019 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. SANJAY KUMAR SINGH @ SANJAY SINGH Son of Satyadev Singh
Resident of Village- Harail, P.S.- Mohiuddin Nagar, District- Samastipur.
 2. Ajay Kumar Singh @ Ajay Singh Son of Satyadev Singh Resident of
Village- Harail, P.S.- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjai Kumar Singh

For the Opposite Party/s : Mr.Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

6 09-07-2020 The Court proceeding has been conducted through
virtual mode.

Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Sections 272 and
273 of the IPC and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016, as amended by the Amendment Act 8 of 2018
(hereinafter referred to as ‘the Act’).

The prosecution case as per the self-statement of S.I.
Parmanand Lal Karn, SHO, Mohiuddin Nagar Police Station
recorded on 30.09.2019, is to the effect that on the same day at



11.45 A.M., an information was received that the petitioners and one Kaushal Singh have stored illicit liquor for sale. Consequently, the house of the petitioners was raided and from the house of the petitioners, 27.4 litres of Indian Made Foreign liquor were recovered, leading to registration of the present case.

It is submitted by learned counsel for the petitioners that seizure list witness is the father of the petitioners with whom the petitioners are on litigating terms. It is further submitted that the house in question is in the name of the father of the petitioners and at the behest of their father, the petitioners have maliciously been roped in the present case and in the same period, two other cases were lodged against the petitioner no. 2 but he is on bail in those cases. It is also submitted that co-accused Kaushal Singh has also been granted bail.

Learned APP submits that the recovery has been made from the house of the petitioners.

Considering the fact that recovery has been made from the joint family house of the petitioners, it is a case for consideration of regular bail by the learned Court below if the petitioners surrender within a period of eight weeks in connection with Mohiuddin Nagar P.S. Case No. 178 of 2019,



pending in the Court of learned 2nd Addl. District and Sessions
Judge-cum-Special Judge, Excise, Samastipur.

This application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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