

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37528 of 2020

Arising Out of PS. Case No.-253 Year-2020 Thana- MUFFASIL District- West
Champaran

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SAMSULJOHA @ RINKU ALAM Son Of MOHAMMAD MUSLIM RESIDENT
OF VILLAGE- BELDARI, P.S.- BETTIAH MUFFASIL, DIST.- WEST
CHAMPARAN

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vashistha Narayan Mishra
: Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-04-2021 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Bettiah Muffasil P.S. Case No. 253
of 2020 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The accusation in the F.I.R. is that 27 litres of



Indian made foreign liquor and 14 litres of locally brewed liquor has been recovered from an asbestos shed without a door. The petitioner is said to be the owner of the aforesaid place.

Learned counsel for the petitioner submits that he is not the owner of the place from where recovery has been made. Apart from this, it has been submitted that admittedly the asbestos shed does not have any door and, therefore, it is accessible to any person.

The petitioner was earlier made accused in a case about which reference has been given in paragraph -3 of the bail petition but in that case, final report false has been submitted.

Considering the afore-stated facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special



Judge, Excise, Bettiah, West Champaran, in connection with Bettiah Muffasil P.S. Case No. 253 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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