

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11715 of 2022**

Arising Out of PS. Case No.-27 Year-2021 Thana- GANGABRIDGE District- Vaishali

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DEELIP KUMAR SAH @ DILIP KUMAR SAH Son of Parmanand Sah
Resident of Village - Chaksaho, P.s.- Patori, Distt.- Samastipur, Bihar 848504

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Roona

For the Opposite Party/s : Mr.Rabindra Kumar

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

2 29-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

260 liters of country-made liquor has been recovered from a tempo, of which, this petitioner was owner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner has been made accused simply because he is registered owner of the said tempo, whereas, as per Sale letter (Annexure 2), petitioner has already sold and transferred said tempo to one Rajkumar Rajak in the 2014 itself. Petitioner claims clean antecedent and he is in custody since 25.12.2021.



Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation, clean antecedent and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Exclusive Special Excise Court No.1 cum Additional District and Sessions Judge, Vaishali at Hajipur in connection with Excise S.Case (GR) No. 173 of 2021, arising out of Ganga Bridge P.S. Case No. 27 of 2021.

(Prabhat Kumar Singh, J)

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