

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53115 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- THAWE District- Gopalganj

Sadique Miya @ Sadique Sai @ Sadik Sai, Son Of Late Juman Sai @ Juman
Miya Resident Of Village-Paithan Patti, P.S.-Thawe, District-Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh

For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the allegation is
of recovery of 105.840 litres of liquor from a sack found near
the pond of Karamat Mian.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated at the instance of Chaukidar with whom he is on an
inimical term. It is next submitted that even alleged recovery is



from a place, which is accessible to public at large, which does not belong to the petitioner.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P. S. Case No.175 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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