

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59360 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- Excise P.S. District- Rohtas

=====

Sheo Pukar Singh, aged about 30 years (Male), S/O Late Ramadhar Singh,
R/o village- Munji, Ward No. 03, P.S.- Karakat, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ramendra Bharti, Advocate
For the Opposite Party : Mrs. Pushpa Sinha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bikramganj Excise P.S. Case No. 71 of 2024 dated 28.04.2024
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 120.96 litres illicit
foreign liquor was recovered from the *chaff* near the house of
the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is submitted that neither the petitioner is the owner



of the alleged illicit liquor nor anything has been recovered from the conscious possession of the petitioner. The alleged recovery from the *chaff* near the house of the petitioner also does not belong to the petitioner. There is no compliance of Section 100 of the Cr.P.C. The petitioner is a handicapped person having more than 40% of his body in inoperative which will be evident from the Handicapped Certificate issued by the Civil Surgeon-cum-Chief Medical Officer, Rohtas, Sasaram, annexed as Annexure-P/2 to the present bail petition. The other co-accused person, namely, Lalan Ram, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 35996 of 2024 under order dated 13.05.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 29.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-I, Rohtas at Sasaram in connection with



Bikramganj Excise P.S. Case No. 71 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

