

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76269 of 2023

Arising Out of PS. Case No.-25 Year-2018 Thana- HATHUA District- Gopalganj

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Theha Singh @ Surendra Singh Son Of Late Shivjee Singh Resident Of
Village - Jamsar Bazar, P.S. - Uchkagaon, District - Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case

registered for the offence punishable under sections

30(a), 38, 41(i)(ii) of the Bihar Prohibition and Excise

Act.

Prosecution case relates to recovery of 108.360

litres of Indian Made Foreign Liquor and one motorcycle

bearing Reg No. BR-28M-9874 from open place.

Learned counsel appearing on behalf of the

petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is not named in the F.I.R. and his name sprang up in this case on the basis of recovery of motorcycle from the place of seizure which is registered at the name of petitioner's mother, namely, Kunti Devi. Moreover, petitioner is languishing in judicial custody since 30.05.2023.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner has five criminal antecedents.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each



to the satisfaction of the learned Additional Sessions
Judge II-cum-Special Judge, Excise Court I, Gopalganj in
connection with Hathua P.S. Case No. 25 of 2018.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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