

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88246 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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Sikendar Sharma @ Sikandar Sharma Son of Late Dipo Sharma @
Dipnarayan Sharma @ Deepnarayan Sharma Resident of Bhawanpura Wasa,
Wared No. 9, P.S.- Chausa, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Udakishunganj Excise P.S. Case No. 176 of 2024 instituted for
the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. The prosecution case, in short, is that total 125.880
litres of liquor of different brands has been recovered from the
house of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner rather the recovery has been made from the joint house of the petitioner where other family members of the petitioner also reside. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 10.09.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Udakishunganj Excise P.S. Case No. 176 of 2024.

(Rudra Prakash Mishra, J)

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