

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3027 of 2020**

Arising Out of PS. Case No.-41 Year-2019 Thana- PATEPUR District- Vaishali

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Bhikhari Singh @ Surendra Singh, S/O Late Ganesh Singh R/O Village -  
Maudah Chaur (Chatur), P.S.- Patepur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Rina Sinha

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      20-03-2020                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Petitioner seeks regular bail in connection with  
Patepur P.S. Case No. 41 of 2019, registered for the offence  
punishable under Section 30(a) of Bihar Excise Amendment  
Act, 2018.

The allegation against the petitioner is that upon  
secret information, police raided the house of the petitioner and  
recovered a total quantity of 199.29 litres of illicit foreign liquor  
from the house of the petitioner.

Ms. Rina Sinha, learned counsel appearing for the  
petitioner submits that the petitioner has not committed any  
offence in the manner alleged and the house from which alleged  
illicit liquor has been recovered belongs to the joint family.



Learned counsel for the petitioner after relying upon the case diary submits that the house in question was under constructed house having no windows and doors and the same is easily accessible to all. Learned counsel for the petitioner fuhrer submits that the petitioner is in custody since 03.12.2019.

After having heard learned counsel for the parties and taking into consideration the fact that the house in question is joint family house having no doors and windows and was easily accessible to all and the petitioner is in custody since 03.12.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, in connection with Patepur P.S. Case No. 41 of 2019, with following conditions :-

(1) one of the bailors should be local people having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court and his



absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Anil Kumar Sinha, J)**

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