

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17809 of 2017

Arising Out of PS.Case No. -235 Year- 2013 Thana -GOVERNMENT OFFICIAL COMP. District-
SIWAN

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Chhote Lal Sah, Son of Late Thakur Sah, Resident of Village-Hariharpur
Lalgarh, Police Station-G.B. Nagar Tarware, District-Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 14.02.2017 in connection with C-II No. 235 (Excise) of 2013 for the offences alleged under Section 47(A) of the Excise Act.

3. It is submitted that the petitioner has been falsely implicated in respect of recovery of 160 litres of illicit country made liquor, 9 litres of foreign liquor and 2 litres of beer. It is submitted that even though anticipatory bail petition of the petitioner was rejected on 11.07.2014 by this Court, he came to know the same much later as he had migrated to Rajasthan. Being a labourer and upon coming to know about such rejection of the prayer for anticipatory bail in the month of February, 2017, he surrendered before the court of learned S.D.J.M., Siwan on 14.02.2017. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction



of learned Sub-Divisional Judicial Magistrate, Siwan in connection with T.R. No. 2503 of 2016 arising out of C-II No. 235 (Excise) of 2013 with the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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