

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37908 of 2017

Arising Out of PS.Case No. -71 Year- 2007 Thana -GOVERNMENT OFFICIAL COMP. District-
SIWAN

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Shambhu Sah @ Shabhu Sah, son of Late Langar Sah, resident of Village-
Gour, Rabri More, P.S.- Maharaj- Ganj, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Case
No. C.II71/07, Trial No. 280/17, lodged for the offences
punishable under Section 414 of the Indian Penal Code and
Section 40(a) of Bihar Excise Act.

Allegation against the petitioner and other accused
persons is of manufacturing Mahua liquor and there is recovery of
25 litres of Mahua liquor from the place and apart from that 800
kg. of Mahua was recovered for manufacturing liquor.

Submission of learned counsel for the petitioner is that
petitioner has not been arrested at the spot though he is named in
the FIR and now he is in custody for five months. Further
submission is that he has no criminal antecedent.



Heard learned APP also.

Having heard both sides and in view of facts and circumstances and also considering the fact that petitioner has not been arrested at the spot and nothing has been recovered from his possession, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge-II, Siwan, in connection with Case No. CII-71/07, Tr.No. 280/17, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) If active involvement of the petitioner in such type of cases is found in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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