

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6503 of 2018

Arising Out of PS. Case No. -403 Year- 2017 Thana -DHAKA District- EASTCHAMPARAN
(MOTIHARI)

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Birendra Sah @ Virendra Sah, S/o Late Sampat Sah, Resident of Mohalla
Phulwariya, P.S.- Dhaka, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-02-2018

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 12.12.2017 in
connection with Dhaka P.S. Case No. 403 of 2017 for the offences
alleged under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. It is submitted that the petitioner has been falsely
implicated in connection with the alleged recovery of 17.4 litres of
Nepali wine from the grocery shop of the petitioner. It is submitted
that the petitioner has no concern with the goods recovered and he
was not arrested at the spot. 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 7th Additional Sessions Judge-cum-Special
Judge Excise, East Champaran at Motihari, in connection with
Dhaka P.S. Case No. 403 of 2017, on 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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