

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28600 of 2018

Arising Out of PS.Case No. -78 Year- 2018 Thana -NANHPUR District- SITAMARHI

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Bihari Sah S/o Vajdeo Sah @ Rajdeo Sah, r/o Vill.- Gauri, P.S.- Nanpur,
District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Dilbar Krishna

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Nanpur P.S.
Case No. 78 of 2018 for offences punishable under Sections 272,
273 of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that illicit liquor is being
unloaded from the Bolero Pickup van, the police reached the place
and apprehended the petitioner while another co-accused named
by the petitioner Munna Sah fled away. From the Bolero Pickup
van 271.74 liters of foreign illicit liquor was recovered.



Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and he is languishing in judicial custody since 15.03.2018. It is further submitted that another co-accused Munna Sah has already been granted the privilege of pre-arrest bail by this Court.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Sitamarhi in connection with Nanpur P.S. Case No. 78 of 2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will co-operate with the investigation or trial of



the case and will appear before the concerned police station/court as and when required.

(Nilu Agrawal, J)

Devendra/-

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