

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1836 of 2019

Arising Out of PS. Case No.-291 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Uday Sah @ Udaybahadur Sah, son of Fulena Sah, aged about 65 years,
Gender Male, Resident of Village Usari, P.S. Baikunthpur, Dist. Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Respondent/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 291 of 2018 registered for offences under sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

In the present case, an allegation has been made of recovery of 375 ML of illegal liquor from the grocery shop of the petitioner.

Learned counsel for the petitioner submits that the petitioner is not the owner of the shop, in question, as has been stated in paragraph no.10 of the present application.

Looking to the entire facts and circumstances of the



case, let the petitioner, namely, Uday Sah alias Udaybahadur Sah, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released 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 IInd Additional Sessions Judge – cum – Special Judge, Excise, Gopalganj in connection with Baikunthpur P.S. Case No. 291 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that, in future, if the petitioner is found involved in similar offences, the prosecution will be at liberty to make a prayer for cancellation of the bail bond.

(Shivaji Pandey, J)

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