

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2257 of 2019

Arising Out of PS. Case No.-699 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Satendra Sah son of Shambhu Sah aged 36 years G-Male, Resident of Village
-Kushmari Tola ,P.S.- Ghorasahan, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
03.12.2018 in connection with Excise Case No.699 of 2018 for
the offence alleged under Sections 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case as lodged by the Excise
Officials is that the petitioner along with two other co-accused
were found near the Indo Nepal Border while carrying illicit
liquor. On chase, two accused persons fled away and the
petitioner was apprehended. From the bags of the petitioner and
other co-accused 81 liters of Nepali country made wine was
recovered. Accordingly, a seizure memo was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, there is no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that illicit liquor is not only attributable to him but to other accused persons. The petitioner undertakes not to induce witnesses or tamper with the prosecution evidence.

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

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Excise Case No.699 of 2018 to the satisfaction of learned Special Judge Excise East Champaran at Motihari, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners.

(Nilu Agrawal, J)

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