

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10359 of 2019

Arising Out of PS. Case No.-1 Year-2018 Thana- CHORAUT District- Sitamarhi

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VISHESHWAR SADA @ BISHESHWAR SADA Son of Late Saryug Sada
R/o village- Balwa, Ward no. 4, P.S- Madhwapur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
03.12.2018 in connection with Choraut P.S. Case No. 01 of
2018 for offences punishable under Sections 272, 273, 414 of
the Indian Penal Code and Sections 30(a), 37(B)(C), 38, 41 of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the informant, is
that during course of checking of vehicle they intercepted a
motorcycle in which three persons were boarded. Petitioner was
apprehended and two persons managed to flee away, but
petitioner disclosed the name of his two associates. From the
motorcycle 36 litres of Nepali Sophy wine was recovered, and,
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 languishing in judicial custody for about three months. Petitioner undertakes to cooperate in the investigation and 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 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 Special Judge (Excise) cum Addl. District & Sessions Judge-II, Sitamarhi, in connection with Choraut P.S. Case No. 01 of 2018, subject to the condition that 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.

(Nilu Agrawal, J)

Rajesh/-

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