

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.11652 of 2019**

Arising Out of PS. Case No.-369 Year-2018 Thana- BIHIA District- Bhojpur

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BUTAN SAH @ GAUTAM SHAH, Son of Ram Chandra Sah @ Ram  
Chandra Gupta Resident of Village - Pokhra Par,P.S-Bihiya, Dist.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Asha Devi

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      05-04-2019                      Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for  
the offences punishable under Section 30(a) of the Bihar  
Prohibition and Excise Act.

Allegation is of recovery of 10 litre Mahua wine  
from the house of the petitioner.

It has been submitted on behalf of the petitioner  
that he is innocent and has been falsely implicated in this case  
due to village politics. Nothing has been recovered from the  
possession of the petitioner. The alleged liquor was recovered  
from joint house of the petitioner and his family members. He is  
in custody since 07.12.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Excise Case No. 1533 of 2018 arising out of Bihiya P.S. Case No. 369 of 2018**, with following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

**(S. Kumar, J)**

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