

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12139 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- LAXMIPUR District- Jamui *

PAPPU SAH Son of Naresh Sah Resident of Village- Tetriya, P.S.- Laxmipur,
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioner. Petitioner is in custody in connection with Laxmipur PS Case No. 38 of 2019 for the alleged offence punishable under Sections 272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is that 40 liters of Mahua liquor was seized in the instant case. Learned counsel representing the petitioner submits that petitioner is in custody since 29.01.2019. He further submits that nothing was recovered from the conscious and exclusive possession of the petitioner.

Considering the fact that the petitioner has remained in custody since 29.01.2019, this Court is inclined to allow this



application and enlarge the petitioner on bail. But while releasing the petitioner on bail the Court is also conscious of the fact that petitioner was earlier made an accused in Laxmipur PS Case No. 297 of 2017 for similar offence. Therefore, the Court is constrained to impose certain condition for release of the petitioner.

Accordingly, let the 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 Additional District Judge 2nd, Jamui in connection with Laxmipur PS Case No. 38 of 2019 subject to the condition that one of the bailors should be the elected representative of the local body.

(Anil Kumar Upadhyay, J)

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