

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22441 of 2019**

Arising Out of PS. Case No.-11 Year-2019 Thana- BAGHA District- West Champaran

MUNNA SAH Son of Sri Narayan Sah Resident of Village- Bhairoganj  
Bazaar, P.S.- Bagaha (Bhairoganj), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Pronoti Singh

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      12-04-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
07.01.2019 in connection with Bagaha (Bhairoganj) P.S. Case  
No. 11 of 2019 for offences punishable under Sections 272, 273  
of the Indian Penal Code and Section 30(a) of the Bihar  
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police  
personnel, is that on secret information that the petitioner is  
selling illicit liquor, which is concealed in the bushes near the  
river bank, the police conducted a raid and recovered 22 litres of  
country-made liquor from the possession of the petitioner.  
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, nothing



has been recovered from the conscious possession of the petitioner and he is languishing in judicial custody for more than three months charge-sheet having been submitted there being no allegation of tampering with the prosecution evidence/ witnesses.

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

Considering the nature of allegations, the period of custody and charge-sheet has already been submitted coupled with the fact that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of this application, 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, West Champaran at Bettiah, in connection with Bagaha (Bhairoganj) P.S. Case No. 11 of 2019, 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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