

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80300 of 2018**

Arising Out of PS. Case No.-164 Year-2018 Thana- JAMOBABAZAR District- Siwan

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Sheo Shankar Sah @ K.t. Son of Thakur Sah, Resident of village-Gopalpur,
P.S.-Jamo Bazar, District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Jamo Bazar P.S. Case No. 164 of 2018
registered for the offence punishable under Sections 272, 273,
308/34 of the Indian Penal Code and Section 30 of the Bihar
Excise Prohibition Act, 2016.

Informant who is a police officer has alleged in his
self statement that on receiving confidential information that
illicit liquor had been stored and sold on a particular place and
when he reached there one miscreant started fleeing away on
seeing the police who was apprehended and he disclosed his
name as Sheo Shankar Sah (petitioner) and from his poultry
farm 110 litres of illicit liquor was recovered. Charge sheet



has already been submitted. Petitioner has one criminal antecedent of similar nature.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner would be enlarged on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Jamo Bazar P.S. Case No. 164 of 2018 subject to the conditions that:-

(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 represented on each and every date fixed by the court.

(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 offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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