

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78742 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- LAUKAHI District- Madhubani

Suresh Kumar Sah @ Suresh Sah, aged 25 years (Male) S/o Late Ram Awtar
Sah R/o village- Narahiya, P.S.- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

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

In this case, the petitioner is seeking bail in connection with Laukahi P.S. Case No. 163 of 2019 corresponding to G.R. No. 1521 of 2019 registered for offences under sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the police during patrolling duty has recovered huge quantity of Nepali wine from the two motorcycles and one tempo.

Learned counsel for the petitioner submits that the petitioner is neither driver nor owner of the tempo or the motorcycle which was seized by the police rather he was the occupant of the tempo. He further submits that his name has



surfaced in course of investigation. The petitioner was not arrested from the place of occurrence but, later on, he was arrested finding him to be involved in illicit trafficking of the liquor.

The petitioner is languishing in judicial custody since 29.09.2019.

Looking to the entire facts and circumstances of the case as also the period of custody, let the petitioner, above named, be released 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 Additional District Judge-II cum Special Judge (Excise), Madhubani in connection with Laukahi P.S. Case No. 163 of 2019 corresponding to G.R. No. 1521 of 2019 subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will



report to the Laukahi police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

rishi/-

U		T	
---	--	---	--

