

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75744 of 2019

Arising Out of PS. Case No.-209 Year-2019 Thana- RIGA District- Sitamarhi

Devendra Sah @ Devendra Kumar, Son of Late Rameshwar Shah @ Hodu Sah, Resident of Village- Riga Panchhar, Ward No.8, P.S.- Riga, District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner seeks regular bail in connection with Riga P.S. Case No.209 of 2019, for the offence punishable under Sections 272, 273, 414 of the Indian Penal Code and Section 30(A) of Bihar Prohibition and Excise Act.

The allegation against the petitioner as per the First Information Report is that the police intercepted a bolero pick van and upon seeing the police party three persons fled away and police recovered a total quantity of 2088 litres of Nepali Sauffi wine. The police identified the petitioner and others who was seen in fleeing away while seeing the police party.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of the fact that the police has identified the petitioner at the time when the



petitioner had allegedly came out from the said bolero vehicle and fled away. Learned counsel further submits that petitioner is not owner of the vehicle and he is in custody since 31.08.2019. Learned counsel for the petitioner further submits that the police after investigation has submitted charge-sheet and there is no possibility that the petitioner will tamper with the evidence and will abscond.

Having heard learned counsel for the parties and taking into consideration the fact that the police has submitted charge-sheet and no illicit liquor has been recovered from the conscious possession of the petitioner, I am inclined to grant regular bail to the petitioner. Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Sitamarhi-cum-Special Judge, Excise Act, Sitamarhi, in connection with Riga P.S. Case No.209 of 2019, subject to the condition that the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Anil Kumar Sinha, J)

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