

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77319 of 2019**

Arising Out of PS. Case No.-309 Year-2019 Thana- MANJHI District- Saran
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MITHUN SAH Son of Uma Sah Resident of Village - Matiyar, P.S.- Manjhi,
District- Chapra (Saran)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Binod Murari Mishra, Advocate.

For the Opposite Party: Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 08.10.2019 in connection with Manjhi P.S. Case No. 309 of 2019 for the offences alleged under Sections 30/30(g) of Bihar Prohibition and Excise Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 100 litres of country made wine. It is submitted that the recovery has been made from a big house where other persons were also residing. The petitioner has already suffered more than one and half months in custody. The petitioner claims clean antecedents.

4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten



thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Saran at Chapra, in connection with Manjhi P.S. Case No. 309 of 2019, on the following conditions-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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