

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77559 of 2019**

Arising Out of PS. Case No.-224 Year-2019 Thana- RAJPUR District- Buxar

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Dablu Sah Son of Late Rajendra Sah Resident of Village - Bahuara, P.S.-  
Rajpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

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

Petitioner, who is in custody, seeks bail in connection  
with Rajpur P.S. Case No. 224 of 2019, registered for the  
offence punishable under Sections 279, 337 and 338 of the  
Indian Penal Code and Section 30(a) of the Bihar Prohibition  
and Excise Act.

Informant has alleged in his written complaint that on  
05.10.2019, at about 10:30 O'clock, while he was going on by  
his cycle for studying to tuition, one motorcycle which was  
coming from the opposite side in negligent and reckless. dashed  
against his cycle and he fell down. Meanwhile, the police  
arrived there and arrested the rider of the motorcycle, who  
disclosed his name as Dablu Shah (petitioner) and also



recovered 24.66 ltrs. of illicit foreign liquor kept in motorcycle.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The petitioner has not been an accused previously under the Excise Act and is in custody since 06.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with tow sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge Excise Act, Buxar in connection with Rajpur P.S. Case No. 224 of 2019 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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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.

**(S. Kumar, J)**

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