

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24621 of 2020

Arising Out of PS. Case No.-353 Year-2019 Thana- NAANPUR District- Sitamarhi

SHYAM SAH @ SYAM KUMAR Son of Late Ramdayal Sah Resident of
Village - Patnukka, Police Station -Nanpur, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Chandrasen Pd. Singh.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Nanpur P.S. Case no. 353 of



2019 instituted for the offence under Sections 30, 30(A), 38(i)(ii), 41 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case is that the police have recovered 274.320 liters of IMFL from a vehicle from which the passengers have fled away on seeing the police party.

It is submitted by the petitioner's counsel that implication of the petitioner is alleged on the basis of secret information. The petitioner has falsely been implicated in the instant case. He is already on bail in Nanpur P.S. Case no. 405 of 2019. He is neither the owner of the vehicle nor he has been arrested at the spot.

Petitioner is in custody since 20.01.2020.

The learned APP opposed the prayer for bail.

Considering the aforesaid, 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 the ADJ-II-Cum- Special Judge Excise Act Sitamarhi, in connection with Nanpur P. S. Case no. 353 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) 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.

(Madhuresh Prasad, J)

shyambihari/-

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