

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21403 of 2020**

Arising Out of PS. Case No.-123 Year-2020 Thana- DHAKA District- East Champaran

MAHINDRA SAH @ MAHENDRA SAH Son of Bali Sah Resident of  
Village-Badharwa Lakhansen, P.S.-Dhaka, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

2      02-07-2020      Due to COVID-19 Pandemic, the matter is being taken up  
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”  
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove  
the defect(s), as pointed out by the office, within a period of  
four weeks from the date of lifting of the lockdown in the State  
of Bihar.

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

The petitioner seeks bail in a case registered under  
Sections 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 36 liters wine is  
recovered.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 20-03-2020. The name of the petitioner has transpired in this case as the recovery was made from the joint house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 36 liters wine is recovered from joint house of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, be released on bail on his personal bond to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Dhaka P.S. Case No. 123 of 2020.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

A.K.V.//-

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