

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18660 of 2021**

Arising Out of PS. Case No.-279 Year-2020 Thana- BALIYA District- Begusarai

Sanjeet Sah, aged about 41 years, S/O Late Saryug Sah Resident of Village Chhoti Ballia Maulana Chak, Post Lakhminiya, P.S. Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 02-11-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for short 'APP') for the State.

Learned counsel for the petitioner is expected to honour 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 to do so by the office.

The petitioner seeks bail in Ballia PS Case No. 279 of 2020 instituted for the offence under Sections 272 and 273 of the Indian Penal Code and Sections 30(a)/32 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Total 120.6 litres foreign liquor has been recovered from the house of co- accused Jitu Kumar @ Jitendra Sah. The petitioner was allegedly fleeing away from the place of



occurrence.

Petitioner's counsel submits that the recovery of illicit liquor is from the house of co-accused. Petitioner's implication is based on suspicion and his criminal antecedents. As per disclosure made in paragraph No.3 of the bail petition, two cases are pending against the petitioner since before in which he is on bail. He is in custody since 21.12.2020. The co-accused Jitu Kumar @ Jitendra Sah from whose house recovery was made has also been allowed bail in Cr. Misc. No. 22448 of 2021.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Begusarai, in connection with Ballia PS Case No. 279 of 2020 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)

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