

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22794 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- TISIAUTA District- Vaishali

Satish Singh @ Gabbar Singh S/O Sri Bajrang Singh R/O Village-Aswari,
P.S-Tisiouta, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Das, Adv.

For the Opposite Party/s : Smt. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Tisiouta
P.S. Case No.108 of 2020 registered under Section 30(a)(b)(c)
Bihar Prohibition & Excise Act and 414 of IPC.

As per allegation made in the FIR is that about 1211
liters of different brands of illicit liquor were recovered from
Phorumal Sah Mohamadpur nearby the Chabutra of Sailesh
Baba.

Learned counsel appearing on behalf of the petitioner
submits that the liquor has not been recovered from conscious
possession of the petitioner and he has been roped in a false case
along with other co-accused without verifying and determining



number of vehicle bearing registration no. WB-02P-7219 which stands in the name of Sonu Kumar. Learned counsel further submits that he is a veterinary doctor and belongs to some another village, namely Ashwari in P.S. Sisuda and nowhere concern alleged illegal trade. He further submits that he was earlier also made an accused in false case relating to Mahua P.S. Case No.145 of 2020 and in which vide order dated 20.11.2021 passed in Cr. Misc. No.15866 of 2021 has been released on bail. The petitioner submits that nothing has been recovered from his conscious possession he be released on bail.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

Having considered the facts and circumstances of the case allegation made in the FIR and taking into consideration the fact that recovery of illicit of liquor has been made from Phorumal Sah Mohamadpur nearby the Chabutra of Sailesh Baba, petitioner be released on bail. Learned counsel for the petitioner while the order was dictated he fairly submits that he will deposit a Bank Draft of Rs.25,000/- in favour of Bihar State Legal Services Authority, Patna. Let the petitioner be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge, IInd-cum-Excise Court, Vaishali at Hajipur in connection with Tisiouta P.S. Case No.108 of 2020 subject to the following conditions:-

(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.

(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.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

U		T	
---	--	---	--

