

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27166 of 2021

Arising Out of PS. Case No.-196 Year-2020 Thana- DAGARUA District- Purnia

Sachin Kumar Sah @ Sachin Kumar S/O Deonarayan Sah Resident Of
Village - Babhangama, P.S. - Bihariganj, District - Madhepura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sushil Kumar Jha, Advocate
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Section 30a of the Bihar Prohibition
and Excise Act.

As per the prosecution case, 98.800 liters of foreign
liquor was recovered from the Maruti Suzuki car of which
petitioner was the driver.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery as he was merely a driver
and was not aware of the nature of consignment loaded in the
vehicle. Petitioner claims clean antecedent. Petitioner is in



custody since 19.11.2020. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and the materials available on the record, 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 Special Judge, Excise Act, Purnea in Dagarua Police Station Case No. 196 of 2020/ Special Excise Case No. 490 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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