

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30257 of 2021

Arising Out of PS. Case No.-728 Year-2020 Thana- SITAMARHI District- Sitamarhi

Siya Ram Sah Son of Jagarnath Sah Resident of Village - Kot Bazar, Ward
No. 15, P.S. - Sitamarhi, 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.R.B.Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sitamarhi P.S. Case No. 728 of 2020, registered for the offence under Section 30(a) / 36 of the Bihar Prohibition and Excise Act.

As per the prosecution case, in course of patrolling, the informant got an information that this petitioner and others have kept illicit liquor, a raid was conducted and 132 liters & 840 ml. of foreign liquor has been recovered on road near a scooty and this petitioner is alleged to have fled away from the spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery and



he is in custody since 25.01.2021. Chargesheet has already been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 728 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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