

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31203 of 2021**

Arising Out of PS. Case No.-27 Year-2021 Thana- SITAMARHI District- Sitamarhi

Siya Ram Sah Son of Jagarnath Sah Resident of Village - Kot Bazar, Ward no. 16, P.S. - Sitamarhi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 26-11-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sitamarhi P.S. Case No. 27 of 2021 dated 10.01.2021 instituted for the offences under Sections 414 and 34 of the Indian Penal Code read with Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 10.01.2021, charge-sheet has been submitted in the case and he has got criminal antecedents as mentioned in paragraph '3' of the bail application.



Learned counsel for the petitioner submits that allegation in the F.I.R. is with regard to recovery of 52.500 litres liquor from the house of one Kashi Prasad and 50.040 litres liquor from a tempo regarding which it is alleged that the same was being unloaded by this petitioner, as such total recovery is 102.540 litres of illicit liquor.

Learned counsel for the petitioner submits that the petitioner has no concern with the recovered liquor and he has been falsely implicated alleging that he was unloading the liquor.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 10.01.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) 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. 27 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

