

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38829 of 2021**

Arising Out of PS. Case No.-201 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rohit Kumar Sah @ Rohit Kumar Shah Son Of Sanjay Sah Resident Of
Village - Binodpur, Ward No. 11, P.S.- Mufassil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh
For the Opposite Party/s : Ms. Rina Sinha

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 17-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove
the defects, as pointed out by the office, within four weeks of
resumption of normal court proceeding. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner seeks bail in connection with Muffasil
Police Station Case No. 201 of 2021 registered for the offence
punishable under Section 120 (B) of the Indian Penal Code and
Section 30 (a) of the Bihar Prohibition and Excise Act.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious



physical possession of the petitioner rather 62.16 liters of illegal foreign liquor is said to have been recovered from the hut. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He submits that on seeing the police party two persons were started fleeing away but caught apprehended and disclosed the name of the petitioner. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and he is languishing in custody since 30.03.2021.

Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in the Chief Minister's Relief Fund, Bihar bearing Account No.2065104000002257, IFSC Code: IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 201 of 2021 subject to following conditions:

(1) One of the bailors will be own close relative of the



petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/- (Rupees Five Thousand) in the Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

GAURAV S./-

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