

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38998 of 2021**

Arising Out of PS. Case No.-40 Year-2021 Thana- PUNAURA District- Sitamarhi

Shankar Sah @ Pretwa Son of Late Kishori Sah Resident of Village-
Ranjitpur, Ward No. 4, P.S.- Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Nityanand

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 24-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Punaura P.S. Case No. 40 of 2021, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

418 liters & 800 ml. of Nepali Saufi Wine has been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the house, which is in joint possession of the family. Petitioner has got clean antecedent and is in custody since 11.03.2021. Investigation is complete.

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



Considering the nature of allegation, period of custody and clean antecedent of the petitioner, 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 Additional District Judge II cum Special Judge, Excise Act, Sitamarhi in connection with Punaura P.S. Case No. 40 of 2021, 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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