

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39801 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- DIGHA District- Patna

Azad Sah @ Sagar Kumar S/O Umesh Sah Resident Of Devi Sthan Kurji
Balu, P.S Digha, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-12-2021 Let the defect (s) be removed within two weeks of
the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 414 IPC
and 30(a) of the Bihar Prohibition and Excise Act.

Submission is that only material against the petitioner
is confessional statement of co-accused who was apprehended
alongwith liquor. Further submission is that though the
petitioner is accused in Digha P.S.Case No. 108 of 2020,
however in the same case also, name of the petitioner surfaced
in the confessional statement of co-accused but nothing was
recovered from the possession or house of the petitioner.

Since there is lack of admissible material against the



petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Digha P.S.Case No.234 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the learned Trial Court.

(Birendra Kumar, J)

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