

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49841 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- BENIPATTI District- Madhubani

Om Sah @ Om Prakash Sah Son of Amiri Sah Resident of Village- Adhbari,
P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-12-2021 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 Benipatti P.S. Case No. 106 of 2021, dated 23.05.2021 instituted for the offences under Sections 272, 273/34 of the Indian Penal Code read with Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

The learned counsel for the petitioner submits that the petitioner is in custody since 19.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.



Learned counsel for the petitioner submits that allegation is recovery of 112.800 litre Nepali liquor from the house of the petitioner.

The learned counsel submits that it was a joint family property and as such the petitioner was not aware who kept the liquor in the house.

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 19.06.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd cum Special Judge Excise, Madhubani, District Madhubani in connection with Benipatti P.S Case No. 106/2021 (G.R No. 852/2021) subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

Gaurav Kumar/-

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