

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39354 of 2020**

Arising Out of PS. Case No.-387 Year-2020 Thana- SIWAN CITY District- Siwan

Amarnath Sah Son of Late Chutkula Nand Sah Resident of Village- Telhatta,
P.S.- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv
For the State : Mr. Ramchandra Singh APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 10-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Siwan Town PS Case No. 387 of 2020 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

73 litres 250 ML illicit liquor has allegedly been recovered from a closed shop of the petitioner.

The allegation is that the recovery is in his presence which is a false allegation altogether as there is no mention in the seizure list of this fact. The petitioner is in custody since 15.09.2020 and has no criminal antecedents.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner,



above named, 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 the learned Additional District and Sessions Judge -II-cum-Special Judge, Excise Act, Siwan, in connection with Siwan Town PS Case No. 387 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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