

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15569 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- BARHARA District- Bhojpur

Deepu Sah, Male, Age about 20 years, Son of Dinesh Sah Resident of Village
- Saraiya, P.S.- Krishnagarh (O.P.), Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 02-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Barhara P.S. Case No. 80 of 2020 (Excise Case No. 482 of 2020), registered for the offence under Section 30A of Bihar Prohibition and Excise Act.

62.3 liters of foreign liquor has been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner and the house in question is in joint possession of the family. Petitioner has got clean antecedent and he is in custody since 25.11.2020.

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



Considering the nature of allegation and period of custody, 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 4th Additional District and Sessions Judge cum Special Judge Excise, Bhojpur at Ara in connection with Barhara P.S. Case No. 80 of 2020 (Excise Case No. 482 of 2020), 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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