

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4502 of 2021

Arising Out of PS. Case No.-143 Year-2020 Thana- LAUKAHI District- Madhubani

SHIV SHANKAR SAH SON OF LATE NATHUNI SAH RESIDENT OF
VILLAGE- KARIYOT, P.S.- LOKHI, DIST.-MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-04-2021 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Laukahi P.S. Case no. 143 of 2020 registered under sections 272, 273, 414 and 34 of the Indian Penal Code and sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 720 litres of Nepali liquor was recovered from two scorpio vehicles and the driver of one of the vehicles namely Deo Kumar Sao was taken into custody. He disclosed that the liquor belonged to four accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that name of the petitioner transpired in the confessional statement of a co-accused made before police. No incriminating article has been recovered from his possession. The petitioner is a labourer who is in custody since 13.10.2020 and has no criminal antecedent. Co-accused Mithilesh Sah and Dinesh Sah



have been enlarged on bail vide order dated 28.10.2020 (Annexure 2) by the learned Court below.

The application for bail is opposed by learned counsel for the State.

A report was called for with respect to the antecedent and the same has been received. As per the report, the petitioner has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 13.10.2020 and not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Laukahi P.S. Case no. 143 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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