

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9737 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- DESARI District- Vaishali

Nirshan Sah Aged about 55 years, S/o Narshing Sah R/o Village- Marauatpur,
P.S.- Desri, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra

For the Opposite Party/s : Mr.Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 24-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Desri P.S. Case No. 242 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

64.780 liters of Indian make 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. The house, in question, is in joint possession of the family. Petitioner claims clean antecedent and he is in custody since 08.09.2020. Chargesheet has already been submitted.

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 Additional District Judge-II cum Special Judge, Vaishali at Hajipur in connection with Desri P.S. Case No. 242 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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