

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8842 of 2021**

Arising Out of PS. Case No.-121 Year-2020 Thana- PIRI BAZAR District- Lakhisarai

Sugo Sada @ Suga Sada S/O Sharban Sada Resident Of Village - Baryarpur
Maharajpur Tola, P. S. - Peeri Bazar, District - Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra,Advocate

For the Opposite Party/s : Mr.Binod Kumar,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 02-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.

Binod Kumar, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Peri Bazar P.S. Case No. 121 of 2020

registered for the offences punishable under Sections 30(a) of

Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that from

the house of this petitioner 80 liters of mahua wine was

recovered.

Learned counsel submits that the petitioner is

innocent and has falsely been implicated in the present case. It is

submitted that the petitioner has no concern with the allegedly recovered illicit liquor. The petitioner is in custody since 10.10.2020

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that 80 liters of mahua wine is said to have been recovered from the house of this petitioner, he has remained in custody in connection with this case since 10.10.2020, the petitioner has three criminal antecedents of similar nature and is ready to abide by terms and conditions on which this Court may grant him bail, this Court directs **on completion of one year of custody** the petitioner above named shall be released on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge (Excise), Lakhisarai in connection with Peri Bazar P.S. Case No. 121 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence

similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.