

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2562 of 2022

Arising Out of PS. Case No.-130 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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SIPAHI KUMAR @ SIPAHI YADAV @ RAKESH YADAV Son of Sri
Harendra Yadav Resident of Village- Jogiya, P.S.- Harsidhi, District- East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2022 Heard counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bettiah (T) P.S. Case No. 130 of 2019 lodged under Section
30(a) and 56 of Bihar Prohibition and Excise Act, 2016.

Total recovery of 941 liters wine was made in the
present F.I.R.

Learned counsel for the petitioner submits that
nothing was recovered from the conscious possession of the
petitioner rather his name has come in this case on the basis of
the confessional statement. He further submits that petitioner is
in custody since 08.07.2021 and charge sheet has already been
filed in this case. Further submits that there are three cases of

similar nature pending against the petitioner. The counsel for the petitioner submits that he is ready to furnish an affidavit that he shall not involve in such type of activity in future.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts of the case and after perusal of the records as well as this aspect that charge sheet has already been filed in this case and petitioner is in custody since 08.07.2021, let the petitioner above named, be granted bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, West Champaran at Bettiah in connection with Bettiah (T) P.S. Case No. 130 of 2019. Petitioner is also directed to file an undertaking that he shall not involve in such types of activity in future before trial court at the time of furnishing his bail-bond.

The prosecution is at liberty to file cancellation of bail, in case the petitioner violates his undertaking.

(Dr. Anshuman, J)

ravishankar/-

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