

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4016 of 2022

Arising Out of PS. Case No.-503 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

Baljit Baitha, Son of Chulhai Baitha, Resident of Village - Dhanaiya, Police
Station - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sahebganj P.S. Case No. 503 of 2021 registered for the alleged offences under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The prosecution case is that on receipt of secret information, house of the co-accused Shobha Devi was raided and 25 litres of illicit country made liquor was recovered from



her house. The petitioner and a number of accused persons were apprehended from the spot and allegedly the petitioner has been actively involved in trade of illicit liquor.

The learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of this petitioner and recovery shown has been made from the house of the co-accused Shobha Devi. Petitioner is neither the owner of the house from where the illicit liquor was recovered nor any recovery has been made from him nor he has got any concern with it. There is nothing on record to connect this petitioner with the alleged occurrence. The petitioner is in custody since 13.11.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner is in custody since 30.11.2021 and recovery has been made from the house of the co-accused, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Muzaffarpur in connection with Sahebganj P.S. Case No. 503 of 2021, subject to the following conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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