

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8889 of 2022

Arising Out of PS. Case No.-160 Year-2021 Thana- LAURIA District- West Champaran

=====

Sujeet Kumar Sah Son of Thag Sah @ Suresh Sah Resident of Village -
Deurva, P.S. - Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner seeks bail in connection with Lauriya
P.S. Case No. 160 of 2021 lodged under Sections 272, 273, 307,
328 read with Section 34 of the Indian Penal Code and under
Sections 30(a), 33, 34(a), 34(b), 34(b)(ii), 34(b)(iii) of the Bihar
Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that he is
not named in the F.I.R., there is no allegation of act or overt act
upon him, therefore, offence under Section 307 of the I.P.C. has
not been attracted in this case. He further submits that on the
allegation under Bihar Prohibition and Excise Act that nothing



has been recovered from his conscious possession. He has mentioned that antecedent of the petitioner is not clean and there is one case is pending under Excise Act but he assures to this Court that he shall not involve in such type of cases in future.

Learned A.P.P. opposes the prayer for bail of the petitioner.

Considering the facts of the case that name of the petitioner is not mentioned in the F.I.R., nothing has been alleged to be recovered from his conscious possession as per the F.I.R., charge-sheet has already been filed in this case and petitioner is in custody since 19.07.2021, I am inclined to grant regular bail to the petitioner. Let the petitioner, above named, is directed to 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 Special Judge, Excise, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 160 of 2021.

Further, petitioner is directed to file an affidavit before the learned Trial Court at the time on furnishing of his bail bond that he shall not involve in similar types of activity in future.

The prosecution is at liberty to file cancellation of



bail, in case when it came to the knowledge that petitioner is again involved in similar types of activity and violates his undertaking.

(Dr. Anshuman, J)

ved/-

U		T	
---	--	---	--

