

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9889 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- KATEYA District- Gopalganj

Shamim Ahmad @ Sonu Son Of Lukman Ansari Resident Of Village-
Tamkuhi Road, Ward No.-3, P.S.- Sewarahi, District- Khushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Kateya
P.S. Case No. 30 of 2022 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.01.2022.

It is alleged that 152.68 liters of English and country
made liquor was recovered from a car and petitioner was
apprehended at the spot.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is innocent and has been falsely



implicated in this case. It has further been submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that nothing incriminating has been recovered from the conscious possession of the petitioner.

Considering the facts and circumstances as mentioned above, as nothing incriminating has been recovered from the conscious possession of the petitioner coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Kateya P.S. Case No. 30 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Court No.1, Gopalganj, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial



Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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