

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10207 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- SUPPI District- Sitamarhi

Mantu Sah S/O Sonelal Sah R/o village- Mohani Mandal, P.S.- Suppi, Distt.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2022 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 Suppi P.S.
Case No. 196 of 2021 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 16.11.2021.

The allegation against the petitioner is to run away
leaving motorcycle from where 145.500 liters of illicit country
made liquor was recovered.

Learned counsel appearing on behalf of the petitioner
submitted that there is nothing on record which may connect the



petitioner with the alleged motorcycle alongwith country made liquor. As regard to involvement in other criminal cases are concerned, it has been submitted that in all three cases, as mentioned in paragraph no.3 of the bail petition, the petitioner is on bail.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that recovery cannot be gathered from the conscious physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as the recovery has not been made from the conscious physical possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Suppi P.S. Case No. 196 of 2021 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 Judge-II-cum-Special Judge, Excise Act, Sitamarhi, 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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