

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10524 of 2022

Arising Out of PS. Case No.-50 Year-2019 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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SAHID MIYA @ SHAHIDALAM @ ASHARANI S/o Sahud Khan @
Shahood Khan Resident of Village- Faizabad, P.S.- Barbigha, Distt-
Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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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 a period
of four weeks from today.

The petitioner seeks bail in connection with Excise
Case No. 50 of 2019, registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act.

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

The allegation against the accused/petitioner is to part
of the syndicate running the trade of illicit foreign liquor seized
from the truck total of 1908 litres.

Learned counsel appearing on behalf of the petitioner



submitted that there is nothing on the record which may connect the petitioner with seized foreign made liquor. It has also been submitted that merely on the ground of previous alleged involvement in similar nature of case, the name of petitioner involved in the present case. While concluding the argument, learned counsel appearing on behalf of the petitioner submitted that charge-sheet has already been submitted in this case as there is no chance of tampering with evidence. As far criminal antecedent of accused/petitioner is concerned, it has been pointed out that accused/petitioner is involved in four cases of similar nature in which he is on bail.

Learned APP while appearing on behalf of the State while opposing the prayer for bail fairly conceded that recovery has not been made from the conscious possession of the petitioner.

Considering the facts and circumstances as mentioned above, as alleged recovery is not made from the conscious possession of the accused/petitioner, coupled with the fact that the charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Excise Case No. 50 of 2019, 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 Dist. & Sessions Judge-II, Sheikhpura, subject to the following condition:

“(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 physically present 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) One of the bailors shall Sajiya Parveen, sister of the petitioner.

(Chandra Shekhar Jha, J)

Ranjeet/-

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