

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16076 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- PIPRAHI District- Sheohar

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Guddu Das, S/o Vishnudev Das, R/o village- Kamrauli, P.S.- Piprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Madhubala Verma, Advocate.

For the Opposite Party/s : Ms.Shaheen Begum, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-08-2022 Heard Ms. Madhubala Verma, learned counsel

appearing on behalf of the petitioner and Ms. Shaheen Begum,

learned A.P.P. for 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 regular bail in connection with Piprahi P.S. Case No. 02 of 2022 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is of recovery of 35 litres of country made liquor from the bed room of the petitioner.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Nothing has been recovered from conscious physical possession of the petitioner.



Charges sheet has already been submitted. Petitioner is in custody since 07.01.2022.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He submits that the trade of illicit liquor is rampant in the State of Bihar. In spite of complete prohibition in the State, due to consumption of illicit liquor, people at large are dying everyday and they are suffering from various physical disorder, as such, it would not be in public interest to release the petitioner on bail.

Considering nature of allegation made against the petitioner as well as the quantity of country made liquor recovered, period of custody undergone by the petitioner and charge sheet has already been submitted, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II cum Special Judge, Excise Act, Sheohar in connection with Piprahi P.S. Case No. 02 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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