

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17447 of 2022

Arising Out of PS. Case No.-233 Year-2021 Thana- PARIHAR District- Sitamarhi

Shrawan Kumar son of Gauri Singh Resident of Village - Nonahi, P.S.-
Parihar, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Madhubala Verma, Advocate
For the State : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the parties thorough
virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Parihar
P.S. Case No. 233 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 08.02.2022.

The allegation against the petitioner is to have
involved in illegal business of illicit liquor, where 90 liters of
Nepali Saufi wine was recovered.

Learned counsel appearing on behalf of the petitioner
submitted that the name of the petitioner surfaced on the basis



of confessional statement of co-accused, namely, Ram Eshwar Mahto, leading no recovery. It has also been submitted that petitioner is a man of clean antecedent and, moreover, chargesheet has already been submitted in this case, as such, there is no chance of tampering of evidence.

Learned APP appearing on behalf of the State, vehemently, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nothing incriminating recovered in furtherance of the confessional statement of co-accused, which may connect the petitioner with the present occurrence coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Parihar P.S. Case No. 233 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 Exclusive Special Excise Court-I, Sitamarhi, subject to the following conditions:

“(i) 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 of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Gauri Singh, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-
Shashank/-

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