

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.17813 of 2022**

Arising Out of PS. Case No.-16 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Begusarai

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NANDAN SADA Son of Late Chhabbu Sada Resident of Village - Ashok  
Nagar Pokhariya, Ward no.36, P.s.- Town, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate  
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

2      22-07-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State in virtual court  
proceeding.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Section 30(a) of Bihar Prohibition  
and Excise Act, 2018.

Recovery is of total 78.750 liters of illegal liquor.

Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. He further submits that nothing  
has been recovered from the conscious possession of the



petitioner, rather the alleged recovery has been made from the bush nearby the side of railway track which was purely common and public place. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 01.02.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Excise P.S. Case No. 16 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation



of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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