

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19433 of 2022

Arising Out of PS. Case No.-117 Year-2021 Thana- CHANPATIA District- West Champaran

RAJESH SAH Son of Late Shiv Jee Sah Resident of Village - Garabhuwa Lal
Tola, P.S.- Sirisiya OP, Chanpatia, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chanpatia (Sirisiya O.P.) P.S. Case No. 117 of 2021 registered
for the offences punishable under Sections 30(a), 30(b), 30(c) of
Bihar Prohibition and Excise Act, 2016.

As per prosecution case, 20 litre *Chulai* wine has been
recovered from possession of the petitioner.

Learned counsel appearing for the petitioner submits
that only 20 litre illicit wine has been recovered. No
incriminating material has been recovered from conscious



possession of the petitioner. He further submits that petitioner carries criminal history of two cases of similar nature and he is in custody since 03.02.2022. He further submits that investigation is complete.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Chanpatia (Sirisiya O.P.) P.S. Case No. 117 of 2021, subject to following conditions:-

(I) The petitioner shall be released after framing of charges.

(i) One of the surety shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive



dates would be a ground for cancellation of bail by the learned
Trial court itself.

(Alok Kumar Pandey, J)

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