

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25714 of 2022**

Arising Out of PS. Case No.-217 Year-2021 Thana- BENIPATTI District- Madhubani

VIJAY SAH Son of Jagdish Sah Resident of village - Makiya, P.S.- Benipatti,  
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Mr. Ravi Prakash  
For the State : Mr. Nityanand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      26-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 120(B) of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

709.125 litres of country made liquor has been recovered from a pick-up van. The apprehended person disclosed the name of the petitioner that the petitioner is the driver of the said pick-up van. It is also alleged that the petitioner fled away from the place of occurrence.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery



from the conscious possession of the petitioner and petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.25,000/- (rupees twenty five thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Benipatti P.S. Case No.217 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the



petitioner, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

**(Anjani Kumar Sharan, J)**

Sanjay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

