

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43434 of 2021

Arising Out of PS. Case No.-86 Year-2020 Thana- PURNAHYA District- Sheohar

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SANJEEV KUMAR SON OF HARICHANDRA SAH R/O VILLAGE-
DOSTIYA SOUTH, P.S.- PURNAHIYA, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Purnahiya P.S. Case No. 86 of 2020 for the offence registered
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation is regarding the police force having
conducted a raid at the place of occurrence and is alleged to
have recovered 18.600 litres of illicit Nepali country made
Kasturi liquor from the hut of the petitioner.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 24.04.2021.
The learned counsel for the petitioner has further submitted that



though the petitioner is accused in two other cases but he is on bail in the said two cases. It is also submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed upon the petitioner for the purposes of grant of bail.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since 24.04.2021, though I deem it fit and proper to grant the privilege of bail to the petitioner petitioner but with certain condition.

Accordingly, the petitioner, above named, is directed to 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 learned 2nd Additional District & Sessions Judge-cum-Special Judge (Excise), Sheohar in connection with Purnahiya P.S. Case No. 86 of 2020.

It is further directed that in case the petitioner is implicated henceforth, in similar type of cases under the



provisions of the Bihar Prohibition and Excises Act, 2016, the present privilege of bail being extended to the petitioner, shall stand cancelled automatically and the petitioner would be liable to be taken into custody forthwith.

(Mohit Kumar Shah, J)

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