

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45705 of 2021**

Arising Out of PS. Case No.-222 Year-2020 Thana- BHAGWANPUR District- Begusarai

SHIV LOCHAN SHARMA S/o Jamun Sharma R/o Village- Chakkapar, P.S.-
Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Mrs. Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 21-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 19.03.2021, seeks
regular bail in connection with Bhagwanpur P.S. Case No. 222
of 2020 registered for offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 99 litres foreign liquor
from the backside of the house of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the recovery has been made from bamboo clump
located in back of the petitioner's house and the same is
accessible to anyone. Petitioner is in custody since 19.03.2021



and he has clean antecedent. He further submits that another co-accused persons have already been enlarged on bail.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case as well as the period of custody of the petitioner and petitioner having no criminal antecedent, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 100,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II-cum Special Judge, Excise Act, Begusarai in connection with Bhagwanpur P.S. Case No. 222 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar



nature of offence, after his release on bail, the trial Court shall
take steps to cancel his bail bond.

(Purnendu Singh, J)

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