

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40453 of 2022

Arising Out of PS. Case No.-432 Year-2018 Thana- LALGANJ District- Vaishali

Shankar Sah S/o Kapildev Sah, R/o village- Purkhauli, P.S.- Lalganj, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) if any, be removed within two 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
Lalganj P.S. Case No. 432 of 2018, lodged under Sections
30(a)/32(ii)/41(i) of the Bihar Prohibition & Excise Act, 2018.

As per prosecution case, total 4502.60 litres of foreign
liquor were alleged to be recovered from the orchard of the
Vindo Ram and its surrounding areas.

Learned counsel for the petitioner submits that one
vehicle Tata Tiago was also recovered in this case and he is
owner of the said vehicle. He categorically submits that nothing
was recovered from the said vehicle. He further submits that in



the present case, petitioner was not apprehended from the place of occurrence, rather he was remanded in this case since 28.06.2022. He further submits that charge sheet has already been filed in this case having one criminal antecedent which is of 2022. Learned counsel for the petitioner further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (rupees thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum- Addl. District & Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S Case No. 432/2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(A.) The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.



(B.) One of the bailor shall be close relative who shall file affidavit before the Court about his relation with the petitioner.

(C.) The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ranjeet/-

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