

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40760 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- LAUKAHI District- Madhubani

Dinesh Kumar Sah Son of Ram Narayan Sah Resident of village- Metha Tole,
Kariyaut Menha Tol, P.S- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Suman Kumari Singh

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
Laukahi (Narhiya O.P.) P.S. Case No. 240 of 2021,
corresponding to G.R. No. 1895 of 2021, lodged under Sections
272, 273/34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition & Excise Act, 2016.

As per prosecution case, total recovery of 837 liters of
Nepali country made liquor was alleged to be recovered from
the Scorpio vehicle. Petitioner is not apprehended from the
place of occurrence.

Learned counsel for the petitioner submits that the present



petitioner was neither owner nor driver of the vehicle, his name has been figured in this case by virtue of the statement made by the villagers. He further submits that petitioner is in custody since 23.06.2022, charge-sheet has already been filed in this case and petitioner having 4 criminal antecedents. Learned counsel for the petitioner further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed 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 Special Judge, Excise Act, Jhanjharpur in connection with Laukahi (Narhiya O.P.) P.S. Case No. 240 of 2021, corresponding to G.R. No. 1895 of 2021, 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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