

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41155 of 2022**

Arising Out of PS. Case No.-333 Year-2022 Thana- NAUTAN District- West Champaran

LAXAMAN SAH Son of Kishori Sah Resident of village- Amawa Man
Bazar, P.s- Majhulia, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 25-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Nautan
P.S. Case No. 333 of 2022 registered for the offences punishable
under Section 414 of the I.P.C. and Sections 30(a) and 37 of the
Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery
of 161.1 litres foreign wine from the Maruti car in question. The
petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 13.06.2022 and bears no criminal
antecedent. Learned counsel further submits that the petitioner



was only the driver of the said vehicle and he has no knowledge about the recovered illicit liquor. It is further submitted that seizure list has not been made as per law.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Nautan P.S. Case No. 333 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Alok Kumar Pandey, J)

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