

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48763 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- AURAI District- Muzaffarpur

Girish Sah S/o Rakesh Sah @ Rakesh Pd. Sahu R/o village- Kokilwara, P.S.-
Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Aurai P.S. Case No. 37 of 2022 registered for
the alleged offences under Sections 272, 273 and 34 of the
Indian Penal Code and Section 30 (a) of the Bihar Prohibition
Act and Excise Act.

As per prosecution case, total 30 litres of fermented
toddy was recovered from the place where the petitioner and
other co-accused persons were stated to be gathered and they
started running away on seeing the police party, but were
apprehended after chase.



The learned counsel for the petitioner submits that the petitioner has no concern with the allegedly recovered toddy. Nothing incriminating has been recovered from the conscious possession. The petitioner is in custody since 22.02.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the nature of allegation coupled with the period of custody and the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No.1, Muzaffarpur in connection with Aurai P.S. Case No. 37 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail



bond of the petitioner will be liable to be cancelled by the court concerned.

Rajnish/-

(Arun Kumar Jha, J)

U		T	
---	--	---	--

