

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50031 of 2022

Arising Out of PS. Case No.-188 Year-2022 Thana- CHANPATIA District- West Champaran

Shivesagar Sah @ Shivsagar Kumar Son Of Mahesh Sah, R/O Village-
Garabhuwa, Lala Tola, P.S.- Sirisiya O.P., District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Chanpatiya Sirisiya O.P. P.S. Case No. 188 of 2022 lodged
under Section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there are recovery of 5 liters
of desi wine alongwith articles by which the desi wine is alleged
to be prepared.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 27.05.2022 and charge
sheet has already been filed in this case. He further submits that

there are 5 criminal cases pending against the petitioners and in some cases, he is on bail and in some cases he is persuading for bail. He further submits that there were 3 accused persons in this case and one co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 16.09.2022 passed in Cr. Misc. No. 48342 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this 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 Judge, Excise, Bettiah, West Champaran in connection with Chanpatiya Sirisiya O.P. P.S. Case No. 188 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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