

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51332 of 2022

Arising Out of PS. Case No.-184 Year-2021 Thana- SHYAMPUR BHATHA District-
Sheohar

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Ravindra Sah @ Masuri Sah, Son of Jhagru Sah, Resident of Ghurghur Tola,
P.S- Shyampur Bhataha, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nasim Yahya, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 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 Shyampur Bhataha P.S. Case No. 184 of 2021
registered for the alleged offences under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per prosecution case, police received secret
information about petitioner selling illicit *chulai* liquor and a
raid was conducted but the petitioner fled away and from the
place of occurrence, recovery of about 5 litres of country made
chulai liquor was made.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The place of recovery is a bamboo orchard of co-accused Munna Sah. The petitioner has no concern either with the place or the allegedly seized liquor. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 27.01.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him and also considering the period of custody of the petitioner along with 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 Additional Sessions Judge-II-cum-Special Judge (Excise Act), Sheohar in connection with Shyampur Bhataha P.S. Case No. 184 of 2021, subject to the



conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a 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.

(Arun Kumar Jha, J)

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