

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64390 of 2021

Arising Out of PS. Case No.-289 Year-2021 Thana- MANIYARI District- Muzaffarpur

Dilip Kumar Sah S/O Ram Kishore Sah @ Ram Kishor Sah R/o village-
Fulwariya @ Pyhulwaria, P.S.- Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Ms. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 15-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Maniyari P.S. Case No. 289 of 2021 registered under Section 30(a) of Bihar Prohibition and Excise Act.

Concealed in a stack of bricks lying on the vacant land behind the petitioner's house, 99.315 litres illicit foreign liquor is said to have been recovered.

The petitioner's counsel submits that recovery is from a vacant land having general access. The recovery is not from the



petitioner's property, but even as per prosecution case, from behind his house. He has no concern with the alleged recovery and he is a man of clean antecedents. He is stated to be in custody since 08.09.2021.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, the fact that prosecution case itself alleges recovery from behind the petitioner's house and the clean antecedent of the petitioner coupled with his custody since 08.09.2021, the Court is inclined to allow the prayer.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in Maniyari P.S. Case No. 289 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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