

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55983 of 2022

Arising Out of PS. Case No.-271 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

GOLU SAH @ GOLU KUMAR Son of Anil Sah @ Late Chandradeo Sah
Resident of Village - Dhaodharh, P.s.- Sasaram (M), Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks bail in connection with
Sasaram (Muffasil) (Dhaudad O.P.) P.S. Case No. 271 of 2022
registered for the offences punishable under Sections 30(a) of
the Bihar Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery
of 99 liter foreign liquor from the house of co-accused
Dharmendra Singh. Petitioner is apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 10.06.2022. Petitioner bears three
criminal antecedents of similar nature. Learned counsel further
submits that nothing has been recovered from the conscious
possession or personal possession of the petitioner. Alleged



recovery has been made from the house of co-accused Dharmendra Singh and the petitioner has no concern with the alleged liquor. Petitioner is innocent and has falsely been implicated in the present case.

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

Considering the facts and circumstances of the case as well as period of custody, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge 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 Excise Court No. 2-cum-Additional Sessions Judge, Rohtas at Sasaram in connection with Sasaram (Muffasil) (Dhaudad O.P.) P.S. Case No. 271 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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