

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64704 of 2021**

Arising Out of PS. Case No.-217 Year-2021 Thana- MANJHAGARH District- Gopalganj

SADHU PASI @ SADHU CHOUDHARY @ SADHU YADAV @ SADHU
CHAUDHARY Son of Late Jagrnath Pasi @ Late Jagarnath Chaudhary
Resident of Village - Umar Mathiya, P.S.- Manjhagarh, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 06-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Manjhagarh P.S. Case No. 217 of 2021, for the offence
punishable under Sections 272 and 273/34 of the Indian Penal
Code and Section 30(a) and 30(c) of the Bihar Prohibition and
Excise Act, 2016-18.

Allegation is recovery of altogether 20 litres of
country made liquor kept near bushes in front of the house of
the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been



implicated in this case. He further submits that nothing has been recovered from his physical possession nor from his house, rather, the alleged recovery has been made from the bushes near his house. The has got no criminal antecedent and he is in custody since 11.08.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case and the allegation made in the F.I.R. as well as period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 30,000/- (Rs. Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge (Excise), Gopalganj, in connection with Manjhagarh P.S. Case No. 217 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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