

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56618 of 2022

Arising Out of PS. Case No.-155 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

Sanjay Sah @ Sanjay Kumar Son of Late Anil Prasad (In FIR Not Known),
Resident of Village - Dihara, P.S.- Daudnagar @ Obra, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sasaram (Muffasil) P.S. Case No. 155 of 2018 lodged under
Sections 30(a), 35 and 38 of Bihar Prohibition and Excise Act,
2018.

As per the prosecution case, total recovery of 936.72
liter of foreign liquor has been made, which is subject matter of
the present case.

Learned counsel for the petitioner submits that from
the contents of the Seizure List, it transpires that the said
recovery was made in the campus of one Shankar Dom. Learned

counsel also submits that name of the petitioner has figured in this case only on the basis of secret information and nothing was recovered from the possession of the petitioner. He further submits that petitioner is in custody since 30.07.2022 having one criminal antecedent in which he is on bail and charge-sheet has already been filed in this case.

Learned A.P.P. 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 Special Excise Court No. 2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 155 of 2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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