

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.191 of 2022

Arising Out of PS. Case No.-452 Year-2021 Thana- SAKRA District- Muzaffarpur

SHIV KUMAR SON OF KALESHWAR RAM R/O VILLAGE- SAKRA
WAZID, P.S.- SAKRA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 30-05-2022 The learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP
for the State.

This is an application for regular bail on behalf of the petitioner
for the offences alleged under sections 272, 273, 414/34 of the Indian
Penal Code and sections 30(a), 37(b) (c) of Bihar Prohibition and Excise
Act, 2018.

As per allegation, the police got information that co-accused
Mukesh Sahni had stored wine in his *Bathan* and some persons were
consuming liquor there. The place of occurrence was raided and the
petitioner and co-accused Jitendra Sahni were arrested and smell of liquor
was coming from their mouth. This petitioner and other apprehended co-
accused Jitendra Sahni disclosed to the police that they used to perform the
work of co-accused Mukesh Sahni

Learned counsel for the petitioner has submitted that F.I.R
itself shows that the petitioner was labourer of co-accused Mukesh Sahni.



He has submitted further that the petitioner is a person of clean antecedents and he is in custody since 15.09.2021 with allegation of consuming liquor.

Considering the clean antecedents and the period of custody of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Muzaffarpur in connection with Sakra P.S. Case no. 452 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

2. At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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