

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.493 of 2022**

Arising Out of PS. Case No.-51 Year-2021 Thana- SALIMPUR District- Patna

MD. SAMEER, Son of Md. Sultan Miya Resident of Village- Bihta, P.S.-  
Salimpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Kaushal Kishor, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, A.P.P

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

2      20-01-2022                      Heard the parties through video conferencing.

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, who is in custody since 18.07.2021,  
seeks regular bail in connection with Special Case No. 2220 of  
2021, arising out of Salimpur P.S. Case No. 51 of 2021 for the  
offence punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

The prosecution case, in brief, is that altogether 155.9  
litres of illicit Indian Made Foreign Liquor was recovered from  
the house of one Md. Sultan, father of the petitioner, however,  
petitioner managed to flee away from his house, when the  
raiding team had entered into the house on 19.03.2021.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case due to dirty village politics. He further submits that at the time of alleged seizure, the petitioner was not present at his house and nothing has been recovered from the possession of the petitioner.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Special Case No. 2220 of 2021, arising out of Salimpur P.S. Case No. 51 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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