

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4912 of 2023

Arising Out of PS. Case No.-73 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

PAWAN SAH Son of Late Jaleshwar Sah R/v- Kharua, P.S.- Sadar, Dist-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 47(a) of
Bihar Prohibition and Excise Act, 2016.

6 litres of country made liquor has been recovered
from the tea shop of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is further submitted that the tea shop does not
belong to the petitioner as stated in paragraph-8 of the bail
application. It is lastly submitted that there is no recovery from



conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-1 (Excise Act), Darbhanga in connection with Excise Case No.73 of 2016, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the



aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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