

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22884 of 2023**

Arising Out of PS. Case No.-519 Year-2022 Thana- BAISI District- Purnia

SADANAND SAH son of Late Satish Sah Village- Chocha ward no-6, P.S.-  
Baisi, Dist- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Kumar, Advocate.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      10-05-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Baisi  
P.S. Case No. 519 of 2022 registered for the offences punishable  
under Sections 272, 273/34 of the Indian Penal Code and  
Sections 30(a) of the Bihar Prohibition and Excise Amendment  
Act.

As per prosecution case, there is alleged recovery  
of 105.750 litres of illicit foreign liquor from the house of the  
petitioner. Petitioner is apprehended on the spot.

Learned counsel for the petitioner submits that  
petitioner is in custody since 27.12.2022. Petitioner bears one  
criminal antecedent of similar nature. Charge sheet has already  
been submitted in the case and there is no likelihood of



tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Purnea, in connection with Baisi P.S. Case No. 519 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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