

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25817 of 2023

Arising Out of PS. Case No.-336 Year-2021 Thana- TAJPUR District- Samastipur

SHIV PRASAD SHARMA S/o Shivyogi Sharma Resident of village-Bhatahi,
P.S.-Jandaha, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

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

ORAL ORDER

2 28-04-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 30(a) of
the Bihar Prohibition and Excise Act registered in connection
with Tajpur (Halai O.P.) P.S.Case No. 336 of 2021.

As per allegation, 1680 litres of liquor was recovered
from a truck and a pick up van. The petitioner has been made
accused in this case merely on the allegation that his motor-
cycle was parked near the truck. The petitioner has no concern
with that truck. He is neither driver nor owner of that truck.

The learned counsel for the petitioner has submitted
that the petitioner is not involved in any case of similar nature



and he is in custody since 13.03.2023.

Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge (Excise) 2, Samastipur in connection with Tajpur (Halai O.P.)P.S.Case No. 336 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, 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.
- 3. The learned trial court shall accept the bail bond only after verification of the criminal antecedent of the petitioner.**

(Nawneet Kumar Pandey, J)

HR/-

U		T	
---	--	---	--

