

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35717 of 2023

Arising Out of PS. Case No.-6 Year-2023 Thana- AMNAUR District- Saran

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KRISHNA SAH Son of Shankar Sah Resident of Village - Bishunpur Piprahi,
Police Station - Amnour, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Adv.

For the Opposite Party/s : Mr.Gulnar Begum, APP.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-06-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner seeks bail in connection with Amnour P.S.
Case No. 06 of 2023 registered for the offences punishable
under Sections 272, 273/34 of the Indian Penal Code and
Section 30, 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery of
187.7 illicit liquor from the spot. Petitioner is apprehended on
spot.

Learned counsel for the petitioner submits that petitioner
is quite innocent and has falsely been implicated in the present
case and has committed no offence as alleged in the F.I.R.
Nothing has been recovered from the conscious possession of
the petitioner. Petitioner is in custody since 15.01.2023 and



bears no criminal antecedent.

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, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-First Exclusive Special Judge, Excise, Saran, Chapra in connection with Amnour P.S. Case No. 06 of 2023 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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