

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34370 of 2023

Arising Out of PS. Case No.-241 Year-2022 Thana- NIRMALI District- Supaul

SHAMBHU SAH, Son of Late Kailash Sah @ Kaila Shah, Resident of -
Nirmali Ward No.- 8, P.S.- Nirmali, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with S. Tr. No. 1896 of 2022
arising out of Nirmali P.S. Case No. 241 of 2022 dated
03.12.2022 registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 6.6 litres of illicit
foreign liquor was recovered from the bag which was carried by
the petitioner. On seeing the police, the petitioner started to flee



away but he was apprehended.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He has further submitted that the petitioner has no concern with the alleged recovery. The petitioner is also accused in 14 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 05.12.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with S. Tr. No. 1896 of 2022 arising out of Nirmali P.S. Case No. 241 of 2022 with the following conditions :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without



reasonable cause, his bail bonds is
liable to be cancelled.

2. If the petitioner is found
involved in similar nature of
offence in future, the prosecution
will be at liberty to move for
cancellation of his bail bonds.

The application stands allowed.

(Chandra Prakash Singh, J)

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