

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.36659 of 2023**

Arising Out of PS. Case No.-78 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- Sheohar

=====

NATHUNI SAH @ DEVENDRA KUMAR Son of Late Rajdeo Sah Resident  
of Village- Minapur, Balha, Ward No. 11, PS- Piprahi, District- Sheohar  
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Pushpendra Kumar Singh  
For the Opposite Party/s : Mr. Ramesh Chandra

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

2      07-08-2023                                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. Learned counsel for the petitioner seeks  
permission to correct the prayer portion of the bail application in  
course of day.

3. Permission is accorded.

4. Heard learned counsel for the parties.

5. The petitioner is apprehending his arrest in a  
case registered for the offences punishable under Section 30(a)  
of the Bihar Prohibition and Excise Act.

6. Learned counsel for the petitioner submits that  
petitioner is innocent and has been falsely implicated in this  
case. He submits that there is no recovery from the conscious  
possession of the petitioner rather 180 liters of foreign liquor is



said to have recovered from the place of the occurrence. He submits that allegation against the petitioner is that he along with other co-accused managed to ran away from the place of occurrence. He further submits that on the basis of the secret information the name of the petitioner has been transpired in this case. He submits that there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

7. Petitioner is agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

8. Considering the facts and circumstance of the case and the fact that there is no recovery from the conscious possession of the petitioner, let the above named petitioner, 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 the learned court below where the case is



pending/successor court in connection with Sheohar P.S. Case No. 78 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(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.

9. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

**(Anjani Kumar Sharan, J)**

ajay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

