

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38585 of 2023**

Arising Out of PS. Case No.-151 Year-2019 Thana- JAYNAGAR District- Madhubani

VIJAY KUMAR SAHU @ VIJAY SAH S/O RAM PRIT SAHU @
RAMPRIT SAHU R/O Village- Korahiya, PS. Jaynagar, Dist. Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Manoj Kumar

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

ORAL ORDER

2 05-07-2023 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 Jaynagar P.S. Case No. 151 of 2019 corresponding to G.R. Case No. 604 of 2019 dated 23.3.2019 registered for the offence punishable u/s 272, 273/34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 90 litres of liquor is alleged to have recovered from the house of co-accused



Indramani Singh.

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. The petitioner has no concern with the alleged recovery. Learned counsel has further submitted that the local 'chowkidar' has named the petitioner in the present case. The petitioner is accused in 14 other criminal cases in which he is on bail in 10 cases as stated in para 3 of the bail petition. The petitioner is in custody since 20.3.2023.

Learned A.P.P. for the State has vehemently opposed the 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, Madhubani in connection with Jaynagar P.S. Case No. 151 of 2019 corresponding to G.R. Case No. 604 of 2019 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, the bail bonds of the petitioner are liable to be cancelled.

2. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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