

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38989 of 2023

Arising Out of PS. Case No.-143 Year-2019 Thana- JAYNAGAR District- Madhubani

VIJAY KUMAR SAHU @ VIJAY SAH, Son of Ram Prit Sahu @ Ramprit
Sahu, Village- Korahiya Ps- Jaynagar Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

**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. 143 of 2019 dated 20.03.2019 corresponding to G.R. Case No. 589 of 2019 registered for the offences punishable u/ss 272, 273, 120B read with Section 34 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 284 litres and 180 ml of illicit Nepali and foreign liquor were recovered from the *parti* land of the co-accused Rohit Kumar.



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 rather the recovery has been made from the *parti* land of the co-accused Rohit Kumar. The co-accused person Pintu Chaudhary has already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 26.11.2021 passed in Cr. Misc. No. 52483 of 2021. The petitioner is also accused in 14 other criminal cases out of which he is on bail in 10 criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2023.

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, Madhubani in connection with Jaynagar P.S. Case No. 143 of 2019 corresponding to G.R. Case No. 589 of 2019 with the 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 bond 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 bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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