

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51139 of 2023**

Arising Out of PS. Case No.-243 Year-2023 Thana- PAROO District- Muzaffarpur

PINTU SAH SON OF KISHORI SAH RESIDENT OF VILLAGE-  
RAMPUR KESO @ MALAHI PS.- PAROO DIST. -MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mrs.Pushpa Sinha,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      11-08-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since  
19.06.2023 in connection with Paroo P.S. Case No. 243 of  
2023, F.I.R. dated 06.06.2023 registered for the offence  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act, 2018.

3. Recovery is of 342.57 liters of illicit foreign liquor.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has falsely been implicated in the  
present case. Further submits that from bare perusal of the FIR  
as well as the seizure list that nothing has been recovered from  
conscious possession or the house of the petitioner rather the  
recovery has been made from the Banana Orchard of co-accused



person, namely, Ajay Rai and the petitioner has no concern at all with the alleged recovery of illicit liquor or the co-accused person. The name of the petitioner has been transpired on the basis of the disclosure made by the local Chaukidar. Further submits that the petitioner was present at the place of occurrence and he was fled away from the place of occurrence and the petitioner is in custody since 19.06.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, nothing has been recovered from possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No.-II, Muzaffarpur in connection with Paroo P.S. Case No. 243 of 2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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