

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56189 of 2023

Arising Out of PS. Case No.-1148 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Kishori Sah S/O Late Gauri Sah @ Gaurishankar Sah R/O Village- Khadwa
Mushar Toli, Ps. Banjariya, Dist. East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Turkauliya (Banjariay) P.S. Case No.1148 of 2022 registered on
03.12.2022 lodged under Sections 272, 273 of the I.P.C. and
30(a), 32, 34, 41(i) of the Bihar Prohibition and Excise Act,
2018.

3. As per the prosecution case, 50 liter of *desi* wine
has been recovered with regard to this case.

4. Counsel for the petitioner submits that name of the
petitioner has been figured in this case due to the reason that
there are 12 criminal antecedents of him.

5. Counsel further submits that petitioner is innocent

and has committed no offence. He further submits that petitioner is in custody since 24.05.2023 and for the rest 12 cases petitioner is on bail. He also submits that petitioner is a law abiding citizen and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, East Champaran, Motihari in connection with Turkauliya (Banjariay) P.S. Case No.1148 of 2022, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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