

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60005 of 2023

Arising Out of PS. Case No.-1070 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

=====

SHISHUPAL KUMAR SAH @ SHISHUPAL SAH SON OF GOPAL SAH @
OM PRAKASH SAH RESIDENT OF VILLAGE - ANDAULI, WARD
NO.4, P.S. - KISHANPUR, DISTRICT - SUPAUL (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 56(b) and 30(a) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, the police intercepted and
searched a Verna Car, the driver tried to escape but apprehended
along with other another person sitting in it and on search 100
ml. Bottles of cough syrup total 161.300 liters were recovered
followed by the FIR.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no



concern with the seized vehicle and the present petitioner is not the owner of the car. There is no proper compliance of essential section of Cr.P.C. during the search and seizure and there is no sign of independent witness on the seizure list, which made whole seizure doubtful. No cogent evidence has come against the petitioner. He submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 17.08.2023 passed in Cr. Misc. No. 51998 of 2023. He is languishing in judicial custody since 03.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Government official Comp. P.S. Case No. 1070 of 2023.

(Sunil Kumar Panwar, J)

arish/-

U			
---	--	--	--

