

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63935 of 2022

Arising Out of PS. Case No.-118 Year-2020 Thana- KOCHAS District- Rohtas

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Guput Sah @ Tappu Sah @ Tapu Sah Son of Nanhak Sah Resident of
Mohalla- Belaspur, P.S.- Kargahar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-01-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Kochas
P.S. Case No.118 of 2020, registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

As per allegation, a total of 1824 bottles each
containing 180 ml of whisky has been recovered from
different vehicles.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that nothing has been recovered



from the conscious possession of the petitioner.

He further submits that the petitioner has been languishing in jail since 18.08.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has moved this Court earlier for grant of anticipatory bail vide Cr. Misc. No. 30064 of 2021.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Excise- Court No.2-Cum- Additional District and Sessions Judge, Rohtas at Sasaram in connection with Kochas P.S. Case No.118 of 2020 on the following conditions:

(i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.



Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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