

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71049 of 2023

Arising Out of PS. Case No.-574 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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Pradeep Sah Son of Madan Sah R/o vill - Lal Saraiya, P.S. - Majhauria, Distt.
- West Champaran. Present Address - R/o vill - Kargahiya, ward no. 2, P.S. -
Kalibagh (Bettiah Town), O.P., Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in
connection with Bettiah (T) Kalibagh O.P. P.S. Case No. 574 of
2023, registered on 20.07.2023 for the alleged offence under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret
information about petitioner selling illicit country made liquor.
A raid was conducted in the house of the petitioner and he was
apprehended and from his premises recovery of 5 litres of
country made liquor was made.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case. Nothing



incriminating has been recovered from the person or possession of the petitioner and recovery is planted. Learned counsel further submits that though the petitioner has been made accused in three cases but he is on bail in all the cases. The petitioner is in custody since 21.07.2023 and charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran/concerned court in connection with Bettiah (T) Kalibagh O.P. P.S. Case No. 574 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the court
below.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bonds of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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