

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69735 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- SAHODARA District- West Champaran

Suresh Srivastava S/o Late Ramdars Srivastava Resident of Village- Parsauni
P.S.- Sahodra District – West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sahodra P.S. Case No. 91 of 2023, registered on 25.07.2023 for the alleged offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about petitioner dealing in illicit liquor. A raid was conducted and from the house of the petitioner 90 litres of country made liquor was recovered and the petitioner was apprehended from the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. No occurrence as alleged has ever taken place. Nothing incriminating was recovered from the conscious possession of the petitioner. The petitioner is living in a joint family house otherwise he has no concern with the house or recovery shown from the house. The petitioner has got no criminal history. The petitioner is in custody since 26.07.2023 and charge sheet has been submitted.

5. Learned APP 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 recovery from a joint family house, 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 Sahodra P.S. Case No. 91 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)

DKS/-

U		T	
---	--	---	--

