

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70881 of 2023**

Arising Out of PS. Case No.-377 Year-2023 Thana- SHIVSAGAR District- Rohtas

Sunil Bind, Son Of Late Govind Bind, R/O Muhalla- Kadirganj, P.S.-  
Sasaram (DARIGAON), District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      07-11-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Sheosagar P.S. Case No.377/2023 lodged on 05.09.2023 under  
Section 30(a) of the Bihar Prohibition and Excise (Amendment)  
Act, 2022.

3. As per the prosecution case, total recovery of 30  
litres of country made liquor is the subject matter of the present  
case.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. The alleged  
recovery has not been made from the conscious physical  
possession of the petitioner, rather it has been made from a  
motorcycle which belongs to him and except this fact, there is



nothing against the petitioner. There is gross violation of Section 100 of the Cr. P.C. in preparing seizure list. The petitioner is in custody since 05.09.2023 and is accused in two more criminal cases, in which he is on bail.

4. Learned counsel for the State opposes the prayer for bail and submits that the petitioner is accused in two more criminal cases of similar nature and this aspect must be taken into consideration at the time of considering the prayer for bail of the petitioner..

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be released on bail, **after framing of charge**, 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 Judge-II-cum-Additional District and Sessions Judge, Rohtas at Sasaram, in connection with Sheosagar P.S. Case No.377/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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.

**(Dr. Anshuman, J)**

Ashwini/-

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