

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.627 of 2023

Arising Out of PS. Case No.-230 Year-2021 Thana- PUPRI District- Sitamarhi

Navin Kumar Sah @ Navin Kumar @ Navin Sah, S/O Nagendra Sah R/O
Village- Hariharpur, P.S- Pupri, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Murari, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection
with Pupari P.S. Case No.230 of 2021 instituted under Sections
414 of the IPC and 30(a) of the Bihar Prohibition & Excise Act,
2016.

As per the prosecution story, the police upon
information reached the place where illicit liquor was sold.
Although the accused persons succeeded in escaping, the house
was surrounded and a lady Nunu Devi was apprehended and
altogether 61.5 liters of Nepali Saufi liquor was/were
recovered/seized. Accordingly, the FIR was lodged

Learned counsel for the petitioner submits that
nothing has been recovered from his conscious possession rather
his name has been come in the confessional statement of the



apprehending lady.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Considering the aforesaid facts that has come on record as also that the petitioner do not have criminal antecedent, this Court is inclined to grant him privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Pupari P.S. Case No.230 of 2021 to the satisfaction of learned Exclusive Special Excise Court, IInd, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;



(iii) 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/her bail bond by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next one year to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) 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.

(Rajiv Roy, J)

Prakash Narayan /-

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

