

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61227 of 2024

Arising Out of PS. Case No.-380 Year-2024 Thana- Excise P.S. District- Katihar

Munna Sah @ Munna Kumar Sah S/o Natho Sah R/o Ward no 15, Roshara,
P.S. -Roshara, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 27-09-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Katihar Excise P.S. Case No. 380 of 2024,
registered for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is of engaged
in trade of illicit wine. On a secret information, the police
intercepted a pick up van bearing Registration No. BR-06-GE-
4167. On search, total 533.100 liters of illicit wine and beer
were recovered. The police apprehended the petitioner, who was
found sitting beside the driver and admitted the wine belongs to
him.

4. Learned Advocate for the petitioner contended that



in fact the petitioner has neither any concern with the pick up van nor with the illicit wine and liquor. However, only on account of suspicion, the police has apprehended the petitioner and made accused in the present case. The petitioner is a man of fair antecedent and now the investigation of the crime is complete and the charge-sheet has been submitted. Certain points have been taken by the learned Advocate for the petitioner, showing the infirmities in the search and seizure.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is complete and charge-sheet has been submitted, coupled with the fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge Excise Court No. - 1, Katihar in connection with Katihar Excise P.S. Case No. 380 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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