

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2802 of 2025

Arising Out of PS. Case No.-158 Year-2024 Thana- BAUNSI District- Araria

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Dileep Sah @ Dileep Samarat Son of Jagarnath Sah Resident of Village -
Basaithi Bazar, Ward No. 03, P.S. - Bausi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Bausi PS Case No. 158 of 2024 instituted for the offences

under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total

80.500 litres of foreign liquor was recovered from open

field.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

the present case. No incriminating material has been

recovered from the conscious possession of the petitioner.

The petitioner has got no concern with the alleged recovery



of liquor. It is submitted that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 18.11.2024 and has got five criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused have been granted bail by this Court vide orders dated 03.10.2024 and 30.10.2024 passed in Cr. Misc. No. 68290 of 2024 and 78209 of 2024 respectively.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bausi PS Case No. 158 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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