

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50104 of 2016**

Arising Out of PS.Case No. -143 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Jokhan Sahni, son of Shiv Gulam Sahni, Resident of village – Panchtaki  
Ram, P.S. Bairgania, District – Sitamarhi.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Panchanand Pandit, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      22-11-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
17.08.2016 in connection with Bairgania P.S. Case No. 143 of  
2016 registered for the offence punishable under Sections 272 and  
273 of the Indian Penal Code and Section 47(A) of Bihar Excise  
Amendment Act, 2016.

The prosecution case is that on 16.08.2016 at 17:15  
hours while the informant along with other police personnel was  
on patrolling duty, he saw two persons having bag in their hands.  
Informant stopped them and recovered 52 pieces of Nepali country  
saufi liquor each of 300 ML from the said bag and thereafter  
prepared seizure-list.

It has been submitted by the learned counsel for the

petitioner that he is innocent and has no criminal antecedent. He further submits that charge-sheet has already been submitted against the petitioner, hence, there is no question of tampering with the witnesses. He further submits that 15.600 litres of Nepali Saufi wine was recovered, which is very small quantity.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since petitioner does not have any criminal antecedent and considering the period of custody, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 143 of 2016.

**(Nilu Agrawal, J.)**

Arjun/-

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