

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4029 of 2017

Arising Out of PS.Case No. -189 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Shyam Sahani, S/o Hiralal Sahani,
2. Balmiki Sahani son of Ramlal Sahani,
Both r/o vill Godighawa P.S. Sugauli District E. Champaran.
..... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Sugauli P.S. Case
No. 189 of 2016 registered for the offences punishable under
Sections 272, 273 of the Indian Penal Code and Sections 47 (A),
47(C), 47 (e), 54 of Bihar Excise Amendment Act, 2016.

During raid some persons started fleeing away and
some were arrested including the petitioners. They confessed that
they were preparing country made liquor and on their disclosure
24 liters country made liquor in a jerkin and 2 liter country made
liquor in two bottles besides apparatus were recovered and the
accused persons including the petitioners told that they were called
by Laxmi Sahani to prepare liquor and the motorcycle recovered
from the spot was also of Laxmi Sahani.



Submission is of false implication and that the petitioners have been made victim of circumstances, they are in custody since 05.09.2016, they have got no criminal antecedent and as such they deserve sympathetic consideration.

Learned APP fairly submits that considering the period of detention now lenient view can be taken.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No. 189 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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