

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16072 of 2017**

Arising Out of PS.Case No. -292 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Rammurti Sahni , Son of Kusheshwar Sahni, R/o Village- Dheng, P.S.- Majorganj, Dist.- Sitamarhi.
  2. Virendra Sahni, S/o Late Timan Sahni, R/o Village- Dheng, P.S.- Majorganj, Distt.- Sitamarhi.
  3. Manoj Sahni, S/o Late Basawan Sahni, R/o Village Dheng, P.S.- Majorganj, Distt.-Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      07-04-2017      Heard the parties.

This application has been filed in connection with Majorganj P.S.Case No.292 of 2016 for the offence under Sections 30A and 38B of Bihar Excise Amendment Act, 2016.

It is submitted on behalf of the petitioners that they have been falsely implicated in this case and there is no compliance of Section 100 of the Cr.P.C. They have no criminal antecedent and they are in custody for more than five months.

Heard learned A.P.P. also, who has opposed the prayer for bail, stating that huge quantity of nepali liquor has been recovered.

Having heard both sides and in view of clean antecedent of



the petitioners as well as Section 100 of Cr.P.C. has not been complied, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Sitamarhi in connection with Majorganj P.S.Case No.292 of 2016 dated 29.10.2016.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

chn/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

