

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12652 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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1. PRADEEP SAHNI @ PRADEEP KUMAR @ PRADEEP KUMAR
SAHNI Son of Late Bharat Sahni,
2. Vikash Kumar Sahni @ Vikash Kumar, Son of Late Chaita Sahni, Both
Resident of Vill/Mohalla- Aajam Nagar, P.S.- L.N.M.U. , District-
Darbhanga. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha
For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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

2 08-04-2017 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners seek bail in connection with L.N.M.U
P.S. Case No. 01 of 2017 registered for the offence punishable
under Section 30(A) of the Bihar Excise (amendment Act) 2016.

Allegedly, acting on a tip off that the petitioners are
storing illicit liquor at the house of Khaltu Sahni, raid was
conducted and after seeing the police personnel, petitioners fled
away and from the house of Khaltu Sahni 70 liters of foreign
liquor were recovered.

Submission is of false implication and that the
petitioners have not been apprehended at the spot, nothing has
been recovered from their conscious possession. Alleged seizure
list was also not prepared at the place of occurrence or at the time



of alleged recovery rather the same was prepared at the police station after registration of the F.I.R. and P.S. case number is mentioned at the top of the seizure list which is against the provision made out in the Cr.P.C.. Petitioners are suffering in custody since 19.01.2017 and, as such, now they deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioners, now they 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 Sessions/Special Judge, Darbhanga in connection with L.N.M.U P.S. Case No. 01 of 2017 subject to the conditions that one of the bailors must be 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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