

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6488 of 2018

Arising Out of PS.Case No. -243 Year- 2017 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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Indu Sahani, Son of Yamuna Sahni, Resident of Village- Talwa, P.S.-
Kotwa, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Naresh Chandra Verma, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.12.2017 in connection with Kotwa P.S. Case No. 243 of 2017 for the offences alleged under Sections 272 and 273 of the Indian Penal Code and Section 30(a) and 35(a) of the Bihar Prohibition & Excise Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion in connection with alleged recovery of 8.35 litres of *foreign* liquor. It is submitted that the recovery has been made from a closed shop and not from the conscious physical possession of the petitioner. Statement is made at the Bar that the shop in question does not belong to the petitioner.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody already suffered since 19.12.2017, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Act,



Motihari, East Champaran, in connection with Kotwa P.S. Case No. 243 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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