

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54885 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -SAHIYARA District- SITAMARHI

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Bhagya Narain Sahni @ Bhagy Narayan Sahani S/o Late Rajendra Sahani,
R/o Vill.- Shital Patti @ Shahpur, Shitalpatti, Ward No. 3, P.S.- Sahiyara,
Distt.- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Sri Pranav Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 07-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

This is a case registered under Sections 272, 273 of the
Indian Penal Code and 30 (A) of the Bihar Prohibition and Excise
Act, 2016.

Petitioner's counsel submits that the petitioner is a man of
clean antecedent. Drawing attention of this Court towards the
allegation made in the FIR he submits that merely on the basis of
statement made by co-accused Mukesh Sahani from whose
possession 81 liters of Nepali sufi wine has been recovered,
petitioner has been implicated in this case. No recovery
whatsoever has been made from the instant petitioner. He is in
custody since 26.06.2018.

Considering the aforesaid submissions of the



petitioner's counsel, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of I/C Additional District Judge -II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sahiyara P.S. Case No. 85 of 2018 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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