

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10229 of 2019

Arising Out of PS. Case No.-745 Year-2018 Thana- SITAMARHI District- Sitamarhi

VIJAY KUMAR @ VIJAY SAHNI Son of Soli Sahni @ Surendra Sahni,
Resident of Village - Naya Tola, Basbariya (Mehsaal), Ward no.25, PS
Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioner. Petitioner is in custody in connection with Sitamarhi PS Case No. 745 of 2018 for the alleged offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition & Excise Act, 2016.

It is alleged that 114 liters of Nepali Saufi Wine were recovered in the instant case near the house of one Anadi Rai. Learned counsel representing the petitioner submits that nothing was recovered from the conscious possession of the petitioner. Nor the petitioner is concerned with the motor cycle from which the materials were seized. He further submits that petitioner is in



custody since 13.12.2018.

Considering the fact that petitioner is in custody in the present case since 13.12.2018 and nothing was recovered from his conscious possession, this application is allowed. However, keeping in view the earlier track record of the petitioner the Court while enlarging the petitioner on bail is constrained to impose some condition.

Accordingly, let the petitioner above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. District Judge II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi PS Case No. 745 of 2018 subject to the condition that one of the bailors should be the elected representative of the local body.

(Anil Kumar Upadhyay, J)

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