

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14514 of 2019

Arising Out of PS. Case No.-376 Year-2018 Thana- BAGHA District- West Champaran

SANTOSH SAHANI, aged about 35 years, (M) Son of Jawahir Sahani
Resident of Village-Kailash Nagar, P.S.-Bagaha, Pathkhauli, District-West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-03-2019 Heard learned counsel for the parties.

Let the defect(s) as pointed out by the Stamp Reporter
be ignored for the present.

Petitioner seeks bail in **Bagaha Patkhauli P.S. Case**
No. 376 of 2018 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Informant has alleged in his written complaint that he
received information that illicit liquor has been concealed near
the pond near Kailash Nagar Temple and on receiving said
information he raided the place and recovered total 264 litre
Nepali wine and thereafter nearby persons disclosed the name of



petitioner and other co-accused of being involved in trade of illicit liquor.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to village rivalry. Petitioner has got no criminal antecedent and is in custody since 29.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Special Judge Excise, West Champaran, Bettiah**, in connection with **Bagaha Patkhauri P.S. Case No. 376 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be



cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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