

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10677 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- MIRGANJ District- Gopalganj

GUDDU SAHANI Son of Praduman Sahani Resident of Village - Bhadaura,
P.S.- Siwan Muffasil, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
23.12.2018 in connection with Mirganj P.S. Case No. 356 of
2018 for offences punishable under Sections 272, 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during course of vehicle checking the
petitioner was apprehended with 27 litres of Indian made
foreign liquor kept in a bag in the motorcycle. Accordingly, a
seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in



the aforesaid case. He submits that due to high-handedness of the police, the petitioner has been victimised. Petitioner is languishing in judicial custody for two months, undertakes to cooperate in the investigation and not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent as one more case of similar nature is pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of three months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II cum Special Judge (Excise), Gopalganj, in connection with Mirganj P.S. Case No. 356 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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