

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26223 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- BAIRIYA District- West Champaran

LALAN SAHNI Son of Dashrath Sahni @ Dasrath Resident of Village -
Gauraha Bazar, P.S.- Taraiya, Sujab, District - Kushinagar (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
10.01.2019 in connection with Bairiya P.S. Case No. 13 of 2019
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 patrolling and during course of raid, the petitioner
was apprehended who had tied two bags on his motorcycle which
on search was found to be 48.600 litres of Indian made foreign
liquor. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and



has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted, petitioner has been sufficiently punished and is languishing in judicial custody since more than four months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations, period of custody and that the charge-sheet has already been submitted coupled with the fact that the petitioner does not bear any criminal antecedent as stated in para-3 of the present application, 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 the learned Special Judge, Excise, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 13 of 2019, subject to the condition that one of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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