

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50075 of 2019

Arising Out of PS. Case No.-1157 Year-2018 Thana- SONEPUR District- Saran

SHRAWAN SAHANI Son of Shankar Sahani Resident of Kalyanpur Basti,
P.S.- Mohiuddinager, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Prakash Sahay

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-09-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The present petition has been filed for grant of regular bail on behalf of the petitioner in connection with Sonepur P.S. Case No. 1157 of 2018 registered for the offence punishable under Sections Sections 188/420 of the Indian Penal Code and Sections 30(a)/38 of Bihar Prohibition and Excise Act, 2016.

The petitioner appears to have earlier filed a petition for grant of regular bail vide Criminal Misc. No. 2913 of 2019 and a coordinate Bench of this Court by an order dated 23.01.2019, considering the fact that huge quantity of liquor has been recovered, had declined to grant bail to the petitioner herein, however, the trial was directed to be expedited and in case no substantive progress was made in the trial, the



petitioner was granted liberty to approach this Court after six months for renewal his prayer for bail.

Perused the report submitted by the 11th Additional Sessions Judge-cum-Special Judge (Excise Court), Saran at Chapra dated 02.09.2019, from which it is apparent that there is no progress at all in the trial and the trial is pending for appearance of the accused, namely, Vinay Kumar Singh. The learned counsel for the petitioner has further submitted that the petitioner is merely the Khalasi of the truck in question and the driver has already been granted bail. It is further submitted that the petitioner is languishing in custody since 28.11.2018. Lastly, it is submitted that the petitioner undertakes to appear before the learned trial court on each and every date so fixed by the court below.

Having regard to the facts and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner, above named, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand), with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran in connection with Sonapur P.S. Case No. 1157 of 2018.

It is needless to state that the petitioner shall appear



on each and every date so fixed by the learned trial court and in case of default in appearance on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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