

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70294 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- HATHAURI District- Muzaffarpur

UPENDRA SAHNI @ UPENDAR SAHNI Son of Shanker Sahni @ Ramdeo
Sahni Resident of Village - Dakrama, P.S.- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2019 Heard learned Counsel for the petitioners and the
learned APP for the State.

The petitioner seeks bail in Hathauri PS Case No. 34 of 2019 registered under Sections 272, 273, 467, 468, 420, 120B/34, 270, 228, 471, 472, 419 of the IPC, Section 4/6 of Trade Marks Act and Sections 30(a), 32(ii), 35(c), 36, 38(i)(ii) of the Bihar Prohibition and Excise Act, 2016 .

17.280 Litres of foreign liquor and 25 litres of Mahua liquor are alleged to have been recovered from the vehicle.

Petitioner's Counsel submits that the petitioner has falsely been implicated. Procedure under Section 100 Cr.P.C. has not been followed and that he is in custody on account of such recovery since 25.9.2019. It is also submitted that there is no criminal antecedent against the petitioner.

Having regard to the aforesaid submissions the petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bail bonds of Rs.



10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in Hathauri PS Case No. 34 of 2019 on the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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