

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 746 of 2020

Arising Out of PS. Case No.-364 Year-2019 Thana- BISFI District- Madhubani

1. SANJAY SAHNI S/o Jogi Sahani R/o village- Bardaha, P.S.- Patouna O.P. (Bisfi), District- Madhubani
2. Vijay Sahni S/o Jogi Sahani R/o village- Bardaha, P.S.- Patouna O.P. (Bisfi), District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Bisfi Police Station (for brevity, *PS*) Case No 364 of 2019 dated 26.11.2019 instituted for the offence punishable under Section (s) 272, 273, 353, 427, 341, 323/34 of Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act.

68.400 liters of illicit country made liquor is said to have been recovered from the house of one Karjawali. It is alleged that after the same seizure, petitioners, along with others, with a view to have the said Karjawali released from police custody, have assaulted the police officials by fists and slaps. Petitioners'



counsel submits that this is a case of false implication. Recovery is, admittedly, from co-accused Karjawali and no recovery whatsoever is alleged against the petitioners. Other than general and omnibus allegations, there is nothing to connect the petitioners with the instant occurrence. They are in custody since 27.11.2019. It is also submitted that the petitioners are on bail in the other cases pending against them, details of which been disclosed in paragraph 3 of the petition.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioners, above named, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Madhubani in connection with Bisfi PS Case No 364 of 2019 subject to the following conditions:-

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

(ii) That the petitioners will be well represented on each



date and if they fail to do so on two consecutive dates, their bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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