

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16647 of 2020

Arising Out of PS. Case No.-254 Year-2019 Thana- SUPPI District- Sitamarhi

PRAMOD SAHNI Son of Prikshan Sahni Resident of Village - Ramnagar,
P.s.- Suppi, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Arbind Kumar Pandey(App.84)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-10-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Sections 414, 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Informant is the police officer, who in his self statement has alleged that on 06.12.2019 at about 15:00 hours he received secret information that some miscreants have purchased illicit wine from the Nepal. On such information he alongwith other police personnel reached there and saw that four persons were putting some bags under the sand and on



seeing police, all miscreants fled away. It is further alleged that local Chaukidar identified them as Pramod Sahni (petitioner), Jitu Sahni, Manjit Kumar Singh @ Chhote Singh and Dahaur Paswan who used to purchase and sell illicit liquor. On search 811.5 litres Nepali Saufi was recovered.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to enmity. Nothing has been recovered from the house of the petitioner or from his conscious possession. It has been further submitted that similarly placed co-accused, namely, Jitu Sahani and Dahaur Paswan have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 11.06.2020 passed in Cr. Misc. No. 11117 of 2020 and vide order dated 12.06.2020 passed in Cr. Misc. No. 18553 of 2020 respectively. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II Cum Special Judge,



Excise Act, Sitamarhi, in connection with Suppi P.S. Case No. 254 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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