

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19974 of 2020**

Arising Out of PS. Case No.-246 Year-2019 Thana- JANDAHA District- Vaishali

=====

NARESH SAHNI Son of Ram Saran Sahni Resident of Village - Marui, P.S.-
Patepur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in **Jandaha P.S. Case No.
246 of 2019**, registered for the offence punishable under Section
414 of the Indian Penal Code and sections 30(a), 38(i), 41(i) of
the Bihar Prohibition and Excise Act, 2018.

2969 litres of foreign liquor is alleged to have been
recovered from a truck and pick-up van and this petitioner is
alleged to have fled away from the place of occurrence after
seeing the police party.

It is submitted by learned counsel appearing on behalf



of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Petitioner is not apprehended on the spot. Petitioner has no concern with the seized liquor. The provision of section 100 Cr.P.C has not been followed. Petitioner is neither the driver nor the owner of vehicles in question. Petitioner is in custody since 31.01.2020.

Learned A.P.P however, vehemently opposed the prayer for bail and submitted that huge quantity of liquor has been recovered from the said vehicles.

Considering the facts and circumstances of the case and the fact that vehicles does not belong to this petitioner, the petitioner above-named, is directed to 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 **Additional Sessions Judge II-cum-Excise Court, Vaishali at Hajipur** in connection with **Jandaha P.S. Case No. 246 of 2019** subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

