

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20877 of 2020

Arising Out of PS. Case No.-295 Year-2019 Thana- BIRAUL District- Darbhanga

KUNDAN SAHNI Son of Ramdhari Sahni Resident of Village - Afjala Tola
Kheva, Police Station - Biraul, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kaushalesh Choudhary
For the Opposite Party/s : Mrs. Veena Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

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

Petitioner seeks bail in Biraul PS Case No. 295 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It is the prosecution case that upon receiving information the police party raided Toknagachi village. Total 708.12 litres of illicit liquor was recovered from the hut of co-accused Raju Mahto. From his house 3.24 litres of illicit liquor was subsequently also recovered.

Learned Counsel for the petitioner submits that the petitioner is not named in the FIR. One witness in course of investigation has stated petitioner's name along with one Bhola



Sahni. Said Bhola Sahni has been granted bail by this Court in Cr. Misc. No. 18458 of 2020. The petitioner is in custody since 25.2.2020. It is further submitted that it is after the petitioner's implication in this case that he has been made accused in Biraul PS Case No. 298 of 2019, in which he is on bail.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Darbhanga in Biraul PS Case No. 295 of 2019 subject to 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 and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

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

