

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23151 of 2020

Arising Out of PS. Case No.-136 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

SUJEET KUMAR SAHANI @ SUJEET KUMAR S/o Narayan Sah @
Narayan Sahani Resident of Village-Rasulpur, P.S.-Ahiyapur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-09-2020 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 Ahiyapur P.S. Case No.
136 of 2020, registered for the offence punishable under
Sections 272, 273 and 34 of the Indian Penal Code and sections
30(a) and 36 of the Bihar Prohibition and Excise Act.

18 litres of foreign liquor is alleged to have been
recovered from motorcycle of this petitioner.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case. Nothing has been
recovered from conscious possession of this petitioner. The



provision of section 100 Cr.P.C has not been followed. Petitioner is in custody since 05.02.2020 having clean antecedent.

Considering the facts and circumstances of the case, 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 Special Judge Excise Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 136 of 2020, 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)

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