

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24184 of 2020**

Arising Out of PS. Case No.-9 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Patna

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Monu Sahni Son of Sri Nepali Sahni Resident of Mohalla - Malahi Pakri,  
Near Ishan School, P.S. - Kankarbagh, Dist. - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gunjan Prakash  
For the Opposite Party/s : Mrs. Asha Kumari,APP

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

2      21-09-2020                      Heard learned counsel for the petitioner as well as  
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Special Case No. 3500 of  
2020 (Excise Didarganj P.R. No. 09 of 2020), registered for the  
offence under Section 30(a) of Bihar Prohibition and Excise  
Act.

120 liters of country-made Mahua wine is said to have  
been recovered from a tempo, bearing registration no. BR01PH-  
4475 in which this petitioner was travelling.

It is submitted on behalf of petitioner that petitioner is  
innocent and has committed no offence and has falsely been  
implicated in this case. Nothing has been recovered from  
conscious possession of the petitioner. It is further submitted



that petitioner is neither driver of the tempo nor he has got any concern with the seized wine. Petitioner was only a passenger of the said tempo. Petitioner has got clean antecedent and he is in custody since 16-05-2020.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner 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 learned Special Judge, Excise (A.D.J.-XIX), Patna in connection with Special Case No. 3500 of 2020 (Excise Didarganj P.R. No. 09 of 2020) on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

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

**(Prabhat Kumar Singh, J)**

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