

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27419 of 2020

Arising Out of PS. Case No.-82 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

PAWAN KUMAR SAHNI @ PASWAN KUMAR Son of Mohan Sahni
Resident of Village- Pandasarai, Police Station- Laheriasarai, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr. Surendra Pd. Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.



It is submitted by the petitioner's counsel that due to inadvertence, the petitioner's name has been typed as 'Pawan Kumar Sahni @ Paswan Kumar' in place of 'Pawan Kumar Sahni @ Pawan Kumar'.

Let the same be read as 'Pawan Kumar Sahni @ Pawan Kumar' in place of 'Pawan Kumar Sahni @ Paswan Kumar'.

The petitioner seeks bail in Laheriasarai P.S. Case no. 82 of 2020, G.O. Case no. 159 of 2020, instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The FIR discloses that 97.92 liters of illicit foreign liquor has been recovered from a dilapidated building from the south of Mandal lodge. It is alleged that the petitioner used to sell the same.

Petitioner's counsel submits that the recovery is from elsewhere. The dilapidated building had general public access and petitioner cannot be held liable for recovery in any manner. He has no criminal antecedents.

The petitioner is in custody since 08.02.2020

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released 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 IInd Additional Sessions Judge-cum- Spl. Judge (Excise), Darbhanga, in connection with Laheriasarai P. S. Case no. 82 of 2020, G.O. Case no. 159 of 2020, 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)

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