

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69783 of 2019**

Arising Out of PS. Case No.-113 Year-2019 Thana- BAGHA District- West Champaran

SUBASH SAHANI @ BAS @ BOSS @ SUBHASH SAHNI Son of hardeo Sahani @ Ganesh Sahani, Resident of Village - Kailash Nagar, P.S.- Bagaha (Patkhauli), Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Gupta, Advocate  
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      14-01-2020                      Heard learned counsel for the petitioner and learned APP for the State.

The petitioner in this case is seeking regular bail in connection with Bagaha (Patkhauli) P.S. Case No. 113 of 2019 registered for the offences punishable under Sections 30(a), 37(c) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 24.07.2019 for the alleged recovery of illicit liquor from the house of co-accused Mahant Sahni and not from the house of this petitioner. Name of this petitioner has come in the confession of co-accused Mahant Sahni. It is further submitted that co-accused Rohit Sahni has been allowed bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 64363 of 2019.



Learned APP for the State has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that 18 liters illicit liquor has been recovered from the house of co-accused and not from the house of the petitioner and the petitioner is in custody since 24.07.2019 and the co-accused Rohit Sahni has been granted bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 64363 of 2019, let the petitioner above named be released on bail on completion of six months custody in connection with Bagaha (Patkhauri) P.S. Case No. 113 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

**(Rajeev Ranjan Prasad, J)**

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