

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.204 of 2020

Arising Out of PS. Case No.-93 Year-2019 Thana- MADHWAPUR District- Madhubani

LAL BABU SAHANI Son of Late Nand Sahani Resident of Village-
Piraukhar, Ward No. 7, P.S.- Madhwapur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

136 liters of liquor was recovered when the petitioner and co-accused were putting the same from a motorcycle to a four wheeler. Petitioner has got no criminal antecedent. He is in custody since 05.12.2019.

Submission is that the car owner is not an accused in this case nor the car has been seized by the police.

The aforesaid would not minimize the allegation against the petitioner.



Considering the nature of allegation and punishment prescribed for the offence alleged, in my view, the petitioner should be released on bail **only after framing of the charge so that the trial may not hamper** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Madhwapur P.S.Case No.93 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below as well as petitioner shall not leave the country without permission of the Court and further the petitioner shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

The learned Trial Court is directed to expedite the framing of the charge thereafter release the petitioner.

(Birendra Kumar, J)

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