

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17335 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- SAKRA District- Muzaffarpur

Madan Sahni aged about 57 years (M) S/o Late Jangali Sahni Resident of
Village- Dedaul Baigan Chak, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Md. Aslam Ansari A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sakra P.S. Case No. 83 of 2020, registered for the offence under Sections 272, 273 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

About 415 liters of foreign liquor has been recovered from a toilet, which is situated behind the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from a place, which is accessible to public. Petitioner claims clean antecedent and he is in custody since 03.12.2020.

Learned A.P.P. for the State has opposed the bail petition.



Considering the nature of allegation, period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Special Judge, Excise Act, Muzaffarpur in connection with Sakra P.S. Case No. 83 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 below and shall remain physically present, as directed by the court below, 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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