

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16464 of 2021

Arising Out of PS. Case No.-157 Year-2018 Thana- THAWE District- Gopalganj

Manoj Sahani, son of Lalan Sahani, Village-Barari Jagdish, Police Station -
Uchkagaon, District - Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-10-2021 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor (for short 'APP') for

the State.

Learned counsel for the petitioner is expected

to honour 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 to do

so by the office.

The petitioner seeks bail in Thawe P.S. Case No.

157 of 2018 instituted for the offence under Sections

30(a)/35/38 of the Bihar Prohibition & Excise Act.

There is a recovery of 31.660 litres of illicit



liquor which was kept in a sack in a motorcycle.

The counsel for the petitioner submits that the alleged recovery has been made on 11.08.2018 but the petitioner has been remanded in the present case much later on 15.09.2020 which is a clear indication that there is no recovery of illicit liquor from his possession. His implication is only due to his past criminal antecedents, as detailed in paragraph 3 of the petition. The petitioner, however, is on bail in all such cases.

The learned APP representing the State has submitted that petitioner's implication is on extraneous consideration.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Thawe P. S. Case No. 157 of 2018, 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)

Shageer/-

U		T	
---	--	---	--

