

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18722 of 2021**

Arising Out of PS. Case No.-134 Year-2019 Thana- JADOPUR District- Gopalganj

BUDHAN SAHNI @ BUDHAN SAHANI Son of Sukdev Sahani @ Surjdev
Sahni Resident of Village - Balua Tola, P.S.- Jadopur, Distt.- Gopalganj.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Jadopur P.S. Case No. 134
of 2019, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

152 litres of country made liquor has been recovered
from a bag and this petitioner is alleged to be one of the persons
who fled away after noticing the police party.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner was not
apprehended on the spot. Recovery has been made from
abandoned place. Name of this petitioner has been taken by the



co-accused. Petitioner is in custody since 29.02.2020.
Investigation is complete.

Considering the fact that no recovery has been made from conscious possession of the petitioner, the petitioner above-named, is directed to be enlarged 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 District and Sessions Judge 2nd-cum-Special Judge Excise, Gopalganj in connection with Jadopur P.S. Case No. 134 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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