

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23807 of 2021**

Arising Out of PS. Case No.-215 Year-2020 Thana- KHODAWANDPUR District- Begusarai

VIJAY SAHNI @ VIJAY KUMAR Son of Late Suresh Sahni Resident of
Village - Karor, Ward no.- 20, P.S. - Cheriabariyarpur, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 24-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.

Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Khodawandpur P.S. Case No. 215 of 2020

registered for the offences punishable under Sections 272 and

273 of the Indian Penal Code and Sections 30(a)/32/41 of the

Bihar Prohibition and Excise Act, 2016. He is in custody since

21.10.2020 and has got no criminal antecedent.

As per the prosecution story, the informant along with

police party during patrolling duty reached Chamdiha Bahiyar

Kanwar and saw one person fleeing away. The said person was apprehended eventually. In south-east part of the East Road illegal country made liquor was being prepared. Upon search of the said place total sixty five litres country made liquor was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on mere suspicion. It is further submitted that recovery of the liquor has been made from a lonely place which does not belong to this petitioner.

Mr. Akhileshwar Dayal, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the recovery of the liquor has been made from a lonely place which does not belong to the petitioner and the petitioner has been arrested on mere suspicion, he has got no criminal antecedent and has remained in custody since 21.10.2020 and investigation against him is complete, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of

learned Special Judge, Exicse Act, Civil Court, Begusarai in connection with Khodawandpur P.S. Case No. 215 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.