

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25326 of 2021

Arising Out of PS. Case No.-991 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

RAJDEO SAHNI SON OF LATE RAMASHIS SAHNI R/O VILLAGE-
BIJAY CHAPHRA, P.S.- AHIYAPUR, DIST.- MUZAFFARPUR.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Advocate.
For the State : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 06-12-2021 The applicant/accused in Crime No.991 of 2020 registered with Police Station-Ahiyapur for the offences punishable under Sections 272 and 273 read with Section 34 of the Indian Penal Code as well as under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, by this application is seeking his release on bail.

Learned counsel appearing for the applicant/ accused submits that the applicant is behind the bars from 01.01.2021. The spot from where the illicit liquor came to be seized is not belonging to the applicant but it is an abandoned place. Apart from one criminal antecedent, the applicant is not having any criminal record.

Learned Additional Public Prosecutor opposed the application and submitted that the offence is serious and



therefore the applicant is not entitled for bail.

I have considered the submissions so advanced and also perused the materials placed before me.

The F.I.R. is lodged by the Police Inspector Sunil Kumar Rajak. On the basis of the secret information, it is alleged that he had raided the premises in question which, according to the prosecution, are owned by the applicant. From those premises, Indian Made Foreign Liquor of 684 liters came to be seized.

The investigation of the crime in question is over. The applicant has already gone the pretrial detention for about a year and, therefore, in my considered opinion by imposing some stringent condition he can be directed to be released on bail. Therefore, the following order.

- (i). The application is allowed.
- (ii). The applicant/accused in Crime No.991 of 2020 registered with Police Station-Ahiyapur for the offences punishable under Sections 272 and 273 read with Section 34 of the Indian Penal Code as well as under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act, be released on bail on executing P.R. bond of Rs.20000/-(Rupees Twenty Thousand) on furnishing surety of the like amount to the satisfaction



of the trial court with the following conditions:

- (I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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