

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26303 of 2021

Arising Out of PS. Case No.-147 Year-2020 Thana- KANHAULI District- Sitamarhi

1. SOGARATH SAHNI S/O LATE CHANU SAHNI R/o village- Hanuman Nagar, P.S.- Sahiyara, District- Sitamarhi
2. Shivchandra Sahni S/o Julum Sahni R/o village- Hanuman Nagar, P.S.- Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 171 liters of Nepali Saufi wine was recovered from two gunny bags which is alleged to be kept by these petitioners.

Learned counsel appearing for the petitioner submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners. Petitioners are in



custody since 27.12.2020 and they claim clean antecedent.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Sitamarhi in connection with Kanhauli PS case No. 147/2020 on the following conditions:-

(1) Petitioners 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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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