

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29542 of 2021

Arising Out of PS. Case No.-19 Year-2021 Thana- JANDAHA District- Vaishali

HARENDRA KUMAR SAHNI @ HARENDRA SAHNI Son of Harendra Sahni @ Ram Punit Sahni Resident of Village- Jadunandanpur, Police Station- Jandaha, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh,Advocate
For the Opposite Party/s : Mr.Md.Fahimuddin,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-10-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Jandaha P.S. Case No. 19 of 2021 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act. He is in custody since 29.01.2021. The petitioner has got no criminal antecedent.

As per the prosecution story, the informant, on secret information that Arvind Ray along with his associates are involved in manufacturing liquor in his hut, along with other



police personnel reached the alleged place of occurrence and on seeing the police party the accused persons (including this petitioner) tried to flee away but on chase all were apprehended. On search total 200 liters of illicit liquor was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the allegedly recovered illicit liquor. The petitioner is in custody since 29.01.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein total 200 liters of illicit liquor has been recovered, the petitioner has no criminal antecedent, he has remained in custody since 29.01.2021, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 19 of 2021, subject to the conditions 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.

The application stands allowed.

(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'.

