

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35735 of 2021

Arising Out of PS. Case No.-179 Year-2020 Thana- HARLAKHI District- Madhubani

Gauri Sahani Son of Ram Sevak Sahani @ Ram Sewak Sahani Resident of
Village - Balwa, P.S.- Saharghat, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Shubham
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Harlakhi P.S. Case No. 179 of 2020 (G.R. No. 1298 of 2020), registered for the offence under Section 272, 273 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

75 liters of Nepali country-made liquor has been recovered from the motorcycle of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner has got no concern with the seized liquor. Petitioner claims clean antecedent and is in custody since 05.02.2021. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.



Considering the nature of allegation, period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned 2nd Additional Sessions Judge cum Special Judge, Excise Act, Madhubani in connection with Harlakhi P.S. Case No. 179 of 2020 (G.R. No. 1298 of 2020), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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