

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36963 of 2021**

Arising Out of PS. Case No.-28 Year-2021 Thana- CHORAUT District- Sitamarhi

Shambhu Sahni Son of Sone Sahni Resident of Village - Haripur, P.s.-
Chauraut, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

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

2 13-12-2021 The applicant/accused in Crime No. 28 of 2021 registered with Chauraut Police Station for the offences punishable under section 30(a) of Bihar Prohibition and Excise Act, 2016, by this application is seeking his release on bail during pendency of the trial.

The applicant is undergoing pre-trial detention from 8.3.2021.

Heard the learned counsel for the applicant. He argued that as because of raid by police everybody was running away, the applicant was also started running away but he was apprehended. The learned prosecutor opposed the bail application by contending that the applicant was arrested while transporting the illicit liquor.



I have considered the submission so advance and perused the material placed before me.

On the basis of secret information, the police squad attempted to stop the bicycle. It is alleged that the applicant was riding that bicycle and was carrying illicit liquor in two gunny bags. The applicant was apprehended while fleeing from the spot and 78.3 liters of country made liquor came to be seized. The investigation of the crime in question is over. The applicant is not having any criminal antecedent as stated by the leaned counsel for the applicant. Hence, the following order.

The application is allowed.

The applicant/accused in Crime No. 28 of 2021 registered with Chauraut Police Station is directed to be released on bail on executing P.R. Bond of Rs. 10,000/- (Ten Thousand) on furnishing sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of 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/accused should not repeat the trial in expeditious disposal of the trial against him.



(III) 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)

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