

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 38422 of 2021**

Arising Out of PS. Case No.-55 Year-2021 Thana- MUFFASIL District- Aurangabad

MANOJ KUMAR SAHNI Son of Devendra Sahni Resident of Village -
Balhan, P.S.- Lalganj, Dist.- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr Mukeshwar Dayal, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, APP) appearing for
the State of Bihar.

The petitioner seeks bail in Aurangabad Mufassil
Police Station (for brevity, PS) Case No 55 of 2021 instituted
for the offence punishable under Section 30 (a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

Since 16.03.2021, the petitioner is in custody in
connection with recovery of 2000.520 liters of liquor from a
truck which he was driving.

Learned counsel submits that petitioner was a driver,
oblivious of the contents of the truck and has lent his
professional services. He has become victim of such



circumstances as he has no concern with the alleged recovery and has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise, Aurangabad in Aurangabad Mufassil PS Case No 55 of 2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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