

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39204 of 2021**

Arising Out of PS. Case No.-271 Year-2020 Thana- KALYANPUR District- Samastipur

Ram Karan Sahni @ Ram Karan Chaudhary Son of Late Nathuni Sahni  
Resident of Village- Maniyarpur, Police Station- Kalyanpur, District-  
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2. 01-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kalyanpur P.S. Case No. 271 of 2020, registered for the offence under Sections 30(a), 41(i)(ii), 47 of Bihar Prohibition and Excise Act.

278 liters & 640 ml. of foreign liquor has been recovered from the hut of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the hut, which is in joint possession of petitioner and several other persons. Petitioner is 71 years old, having no criminal antecedent, and he is in custody since 25.04.2021. Investigation is complete.



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

Considering the nature of allegation, clean antecedent and period of custody, 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 Additional Sessions Judge II cum Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.S. Case No. 271 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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