

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36103 of 2020**

Arising Out of PS. Case No.-26 Year-2020 Thana- MADHWAPUR District- Madhubani

DEEPESH SAHNI son of PARDESHI SAHNI Resident of Brahmpuri, P.S.-
Madhwapur, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate
For the Opposite Party/s : Mr. Sufiyan, APP.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 27-01-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Madhwapur. PS Case No. 26 of 2020 registered under Sections 272, 273/34 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Two persons were allegedly on the motorcycle from which 105 liters of Soufi wine has been recovered.

Other co-accused, as per submission of learned Counsel for the petitioner, have already been allowed bail. Submission is of false implication and that the seizure is not in conformity with Section 100 Cr.P.C. The petitioner has no criminal antecedent and is in custody since 28.8.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.



Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Madhubani in Madhwapur. PS Case No. 26 of 2020 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.

(Madhuresh Prasad, J)

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