

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39356 of 2020

Arising Out of PS. Case No.-319 Year-2020 Thana- ALAMGANJ District- Patna

Devraj Sahani S/o Muneshwar Sahani R/o Mohalla- Kedarnath Math, P.S.-
Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma, Adv.

For the State : Mr. Ram Priya Sharan Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Alamganj PS Case No. 319 of 2020 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

100 litres of illicit liquor has allegedly been recovered in bags on the motorcycle on which the petitioner along with another person was moving.

Learned counsel for petitioner submits that even as per prosecution case, the petitioner had fled away and, therefore, the recovery is not from his conscious possession. Learned counsel further submits that it is a case of false implication and the petitioner is in custody since 30.06.2020.

The learned APP for the State has opposed the prayer for



bail by submitting that large quantity of illicit liquor has been recovered.

Considering the rival submissions, let the petitioner, above named, 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 the learned Special Judge Excise Act, Patna in connection with Alamganj PS Case No 319 of 2020, in Spl Case No 3816 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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