

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40516 of 2020**

Arising Out of PS. Case No.-104 Year-2020 Thana- MADHWAPUR District- Madhubani

Raushan Sahni @ Roshan Sahani aged about 20 years Son Of Late Hira Sahani Resident Of Village- Brahmpuri, Ward No. 5, Police Station- Madhwapur, District- Madhubani

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ganesh Pd.Singh, Addl Public Prosecutor

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

2      09-02-2021      Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, 90 liters of Nepali country made liquor was recovered from the possession of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Charge sheet has already been submitted. Petitioner has got no criminal antecedent and he



is in custody since 16.9.2020.

Considering the facts of the case, 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 Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in Madhwapur Police Station Case No. 104 of 2020 the on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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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