

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14753 of 2021

Arising Out of PS. Case No.-279 Year-2020 Thana- TAJPUR District- Samastipur

SANJIT SAHNI @ AJIT SAHNI SON OF LATE JAGARNATH SAHNI
RESIDENT OF VILLAGE- INDRAWARA JITWARPUR, P.S.- TAJPUR,
DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandeep Jha, Adv

For the Opposite Party/s : Mr. Ajay Kumar no. 2, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and learned APP 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 connection with Tajpur (Halai OP) P.S. Case No. 279 of 2020 registered under Sections 414 and 34 of the Indian Penal Code and Section 30(a) of the Bihar



Prohibition and Excise Act, 2016.

From the petitioner's poultry farm, there is alleged recovery of 459 litres illicit liquor. Five persons have been arrested from the place.

It is submitted by the petitioner's counsel that even as per prosecution case he was not arrested at the time and place of recovery. The recovery is in presence of five persons and from an open place having access to all and no criminal liability can be attributed to the petitioner for the same. The petitioner has subsequently been arrested and is in custody since 27.9.2020. The petitioner has no criminal antecedents as per disclosure made in paragraph 3 of the bail application.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. 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 learned Additional Sessions Judge II-cum-Special Judge (Excise Act), Samastipur in Tajpur (Halai OP) P.S. Case No. 279 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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