

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3031 of 2021**

Arising Out of PS. Case No.-544 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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RAMAJI SAHNI SON OF BACHA SAHNI RESIDENT OF VILLAGE-
HARPUR BANDH, P.S.- GOPALGANJ, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Rakesh

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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

2 16-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 21.09.2020 in connection with Gopalganj P.S. Case No. 544 of 2020 registered for the offences punishable under Sections 30(a)/41(1) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 172.6 litres of foreign liquor has been recovered from house of the petitioner and the petitioner was apprehended on the spot.

It is submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from the house which is in joint family possession. Chargesheet has already been submitted in this case. Petitioner has got no



criminal antecedent and he is in custody since 21.09.2020.

Considering the fact that nothing has been recovered from the conscious possession of the petitioner and that the petitioner bears clean antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned ADJ II cum Special Judge, Excise, Gopalganj, in connection with Gopalganj P.S. Case No. 544 of 2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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