

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40693 of 2020

Arising Out of PS. Case No.-560 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

SHATRUGHAN SAHANI Son of Suresh Sahani VILLAGE SHEKHPUR
DHAB PS AHIYAPUR DISTRICT MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 05.09.2020 in connection with Ahiyapur P.S. Case No. 560/20 registered for the offences punishable under Sections 30(a)/36 of the Bihar Prohibition and Excise Act and Section 272/273 of the Indian Penal Code.

As per the prosecution case, 621.720 liters of English wine and 9 litres of Bear have been recovered from the hut of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the alleged recovery has been made from the hut which does not belong to this petitioner rather the hut belongs to the co-sharer. Petitioner bears no



criminal antecedent and he is in custody since 05.09.2020.

Considering the aforesaid facts and circumstances, 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 Special Judge, Excise Act, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 560/2020, 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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