

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4413 of 2021**

Arising Out of PS. Case No.-961 Year-2019 Thana- KHAGARIA District- Khagaria

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AJAY SAHNI son of Laddu Lal Sahni Resident of Village- Ranisakarpura,
P.S.- Gangour, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.APP

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

2 23-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 02.09.2020 in connection with Khagaria (Gangour) P.S. Case No. 961/2019 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 25 liters of country-made Mahuwa liquor has been recovered and this petitioner is alleged to have fled away on seeing the police.

It is submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. It is further submitted that the alleged recovery has been made from the river bank which is accessible to general public. Chargesheet has already been submitted in this case. Petitioner has got no



criminal antecedent and he is in custody since 02.09.2020.

Considering the aforesaid facts and circumstances and that nothing has been recovered from the possession of the petitioner, coupled with the fact that investigation is complete, 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 Additional District and Sessions Judge-II cum Special Judge, Excise Act, Khagaria in connection with Khagaria (Gangour) P.S. Case No. 961/2019, 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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