

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4971 of 2021

Arising Out of PS. Case No.-44 Year-2020 Thana- HARLAKHI District- Madhubani

1. SHANKAR SAHANI @ RAM SHANKAR SAHNI Son of Ram Pukar Sahni
2. Pancha Sahani Son of Sukhari Sahni
3. Surat Sahani Son of Shiv Lal Sahni
4. Binod Sahani Son of Ram Ashish Sahni
5. Bisheshwar Sahani Son of Apach Sahni
6. Anil Sahani
7. Sunil Sahani

Both 6 and 7 are Son of Bisheshwar Sahni
All are Resident of Village-Sothgaon Tole, Madhubani, P.S.-
Harlakhi, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in connection with
Harlakhi P.S. Case No. 44/2020 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act and Section 341/323/504/379/34 of the Indian Penal
Code.

As per the prosecution case, these petitioners are
engaged in trafficking of illicit liquor and 36 litres of foreign



liquor has been recovered from their possession. It is further alleged that these petitioners have also assaulted the villagers and snatched Rs. 20,000/- from the pocket of Brahmdev Sahni and fled away on motorcycle.

It is submitted on behalf of the petitioners that nothing has been recovered from the possession of the petitioners and due to payment of rent of shop some scuffle took place and consequently, this false case been lodged against these petitioners. Petitioners have got no criminal antecedent and they are in custody since 16.10.2020.

Considering the nature of allegation and that nothing has been recovered from the possession of the petitioners, the bail petition of the petitioners is allowed. Let the petitioners above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with Harlakhi P.S. Case No. 44/2020, subject to following conditions:-

(1) Petitioners 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



their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners 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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