

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7350 of 2021

Arising Out of PS. Case No.-177 Year-2020 Thana- KHANPURA District- Samastipur

Raj Kumar Sahni aged about 45 years, Male Son of Shatrughan Sahni,
Resident of village-Shripur Gahar Ward No.4, P.S.-Khanpur, District-
Samastipur .

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Raja Ram Mishra Advocate
For the State : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-06-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned counsel for the petitioner and learned counsel for the State

3. The petitioner seeks bail in Khanpur P.S. Case No. 177 of 2020, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 .

4. Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

5. Since 26.09.2020, the petitioner is in custody. The allegation is of recovery of 38.310 litres of illicit liquor from his house.

6. The learned counsel for the petitioner submits that the recovery was in his absence. He has subsequently been arrested.



He denies and disputes the allegation and submits that as per statements made in the petition he has no criminal antecedent.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, let the petitioner, aboe named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur**, in connection with in **Khanpur P.S. Case No. 177 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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