

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9827 of 2021**

Arising Out of PS. Case No.-34 Year-2020 Thana- KEWATI District- Darbhanga

Rohit Sahni Son of Manohar Sahni Resident of Village - Andama, P.S. - Keoti, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das

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

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

2 24-06-2021 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner seeks bail in Keoti P.S. Case No. 34 of 2020 (GO Excise Case No. 397 of 2020), registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

171.615 litres of foreign liquor has been recovered from the husk house of co-accused Rohit Sah and petitioner is alleged to be the partner of Rohit Sah in trading of illicit liquor.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from



conscious possession of this petitioner. Recovery has been made from the house of co-accused Rohit Sah. Petitioner has no concern with the seized liquor. Petitioner is in custody since 27.11.2020 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that no recovery has been made from conscious possession of the petitioner and he claims clean antecedent, the petitioner above-named, is directed to be enlarged 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 2nd Additional Sessions Judge-cum-Special Judge (Excise), Darbhanga in connection with Keoti P.S. Case No. 34 of 2020 (GO Excise Case No. 397 of 2020), subject to following conditions:-

(i) The 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 and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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