

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3972 of 2022

Arising Out of PS. Case No.-342 Year-2021 Thana- MINAPUR District- Muzaffarpur

SHATROHAN SAHANI @ SHATRUDHAN SAHANI S/o- Late Bhikhari Sahani R/o Village- Panapur Gosai Tola, P.S.- Minapur (O.P.- Panapur), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-06-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the state.

The petitioner seeks regular bail in connection with Minapur Town P.S. Case No. 342 of 2021, registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution story, on the basis of secret information, police searched the house of Satrudhan Sahani and recovered 18 litres country made liquor, 1 kg nausadar materials related to making country made liquor and 90 kg mitha liquid and other apparatus. Petitioner and other tried to escape but



petitioner is one among them who apprehended on spot.

Learned counsel for the petitioner has submitted that petitioner bears no criminal antecedent and is in custody since 19.09.2021. There is no compliance of section 100 Cr.P.C. as per seizure list. Petitioner is old person and no concern with alleged recovery and nothing incriminating materials has been recovered from the conscious possession of the petitioner. The alleged recovery is from joint house. Charge-sheet has been submitted and there is no likelihood of tampering prosecution.

The learned APP for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody, keeping in view criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Minapur P.S. Case No. 342 of 2021, subject to following condition:

(i) One of the surety shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned trial court itself.

(Alok Kumar Pandey, J)

Ranjeet/-

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