

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10874 of 2022**

Arising Out of PS. Case No.-158 Year-2021 Thana- SAHARGHAT District- Madhubani

Tetar Sahani Son of Late Manjhi Sahani Resident of Village - Bisanpur, P.s.-
Saharghat, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Shubham

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 14-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Saharghat
P.S. Case No. 158 of 2021 registered for the offence under
Sections 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.11.2021.

The allegation against the petitioner to have in
possession of 62.400 liters of Nepali country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that nothing incriminating has been recovered from



the conscious physical possession of the petitioner. It has further been submitted that petitioner is a man of clean antecedent and also chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that nothing incriminating has been recovered from the conscious physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, nothing incriminating has been recovered from the conscious physical possession of the petitioner coupled with the fact that petitioner is man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Saharghat P.S. Case No. 158 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and



exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner only duly supported by the documents.

(ii) That one of the bailors shall be Manoj Sahani, son of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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