

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12876 of 2022

Arising Out of PS. Case No.-319 Year-2021 Thana- BAKHARI District- Begusarai

Pramod Sahni, Son of Late Bihru Sahni @ Bihari Sahni, Resident of Village -
Goriyari Ward No.17, P.S.- Bakhri, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bakhri P.S. Case No. 319 of 2021, registered for the alleged offences under Sections 30 (a) and 30 (c) of the Bihar Prohibition and Excise Act.

Allegedly, 1 liter of Mahua liquor was recovered from the hut of the petitioner, who was not present in his hut.

The learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and nothing incriminating has been recovered from his conscious possession.



The petitioner has nothing to do with the hut from where the recovery is allegedly made. The charge sheet has been submitted in this case and the petitioner is in custody since 24.12.2021.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender.

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No. 2, Begusarai, in connection with Bakhri P.S. Case No. 319 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be Reeta Devi, wife of the petitioner, who has sworn the affidavit in this case.



(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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