

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23466 of 2022

Arising Out of PS. Case No.-9 Year-2021 Thana- MANIYARI District- Muzaffarpur

Devendra Kumar Sahni S/o Late Bishu Sahni @ Bishwanath Sahni R/o
Village - Mahanth Maniyari, P.S. - Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate.

For the Opposite Party/s : Mr. K. Kishore, (APP 100).

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Maniyari P.S. Case No. 09 of 2021 lodged under Sections 272,
273, 290 of the Indian Penal Code read with Section 30(a)/34,
36, 41, 56(D) of the Bihar Prohibition and Excise Act, 2018.

The total recovery in this case is alleged to be 40.320
liter of foreign wine.

Learned counsel for the petitioner submits that
petitioner is innocent because alleged wine has not been
recovered from his possession. The said wine has been
recovered from a mango orchard. He further submits that

petitioner is in custody since 02.02.2022, on the point of his criminal antecedent, learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions whatsoever it may be, shall impose upon him. He further submits that there are 3 named accused persons in this case, out of three, two were granted bail by the Co-ordinate Bench of this Court vide orders dated 03.01.2022 and 19.05.2022 passed in Cr. Misc. No. 38709 of 2021 and Cr. Misc. No. 62984 of 2021 respectively.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-II, Muzaffarpur in connection with Maniyari P.S. Case No. 09 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his

bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--