

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24868 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- PURAINI District- Madhepura

PRAMOD SAHNI SON OF LATE LOCHAY SAHNI @ LODHAY SAHNI
RESIDENT OF VILLAGE- PURAINI, GODHIYARI TOLA, WARD NO 3
P.S- PURAINI, DIST- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-08-2022 Heard learned counsel for the parties through video conferencing in view of the COVID 19.

Let the defect(s), if any, as pointed out by the office be removed within four weeks.

The petitioner is an accused in connection with Puraini P.S. Case No. 64 of 2022 under Sections 30(a) of the Bihar Prohibition and Excise Act (Amendment) Act, 2016.

The allegation against the petitioner is that five liters of ‘mahua’ wine was recovered from his room after the police raided the house.

Learned counsel for the petitioner submits that the allegation is of recovery/seizure of five liters of ‘mahua’ wine for which he has already suffered by being in custody since 25.03.2022 (as stated in paragraph-12 of the bail application).



He further submits that he has been implicated in this case only because he has criminal antecedent. As such, he submits the petitioner deserves bail.

Taking into account the recovery of five liters of 'mahua' wine as alleged in the FIR, charge sheet stands submitted and the petitioner is in custody since 25.03.2022, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge 4th cum Special Judge, Excise Act, Madhepura in connection with Puraini P.S. Case No. 64 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;



(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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