

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24899 of 2022

Arising Out of PS. Case No.-92 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

TUNTUN SAHNI @ TUN SAHNI S/o Mr. Pratap Sahni R/o village-
Banghara, P.S.- Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered u/s 272, 273 and 420 read with 34 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 160 litres of liquor (spirit) was recovered from the *dalan* of the petitioner, Tuntun Sahni.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The petitioner is accused in six other criminal cases which are of similar nature of Excise Act and out of which the petitioner is on bail in four cases as stated in para 3 of the bail petition. The petitioner is languishing in jail custody since 02.03.2022.

Learned A.P.P. for the state opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances as well as the period of custody, the petitioner above-named, is directed to be enlarged 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 Siwaipatti, P.S. Case No. 92 of 2020, with following conditions:-

1. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

2. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive occasions without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

3. If the petitioner is found involved in similar nature of offence related to Bihar Prohibition and Excise Act in future, his bail bond is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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