

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38677 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- JAYNAGAR District- Madhubani

SHATRUGHAN SAHANI @ SHATRUDHAN SAHANI @ SATROHAN
SAHANI Son of Late Parikshan Sahani Resident of Village - Inarwa, P.S. -
Khajuri, District- Dhanusha (Nepal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-01-2022 Heard Mr. Ratnakar Jha, learned counsel appearing on
behalf of the petitioner and Sri Dinesh Singh, learned A.P.P. for
the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 11.04.2021,
seeks bail in connection with Jaynagar P.S. Case No. 110 of
2021, for the offence punishable under Section 414 of the Indian
Penal Code and Section 30(a)/38 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in brief, is that altogether 135
litres of Nepali liquor was recovered from the motorcycle.

Learned counsel appearing on behalf of the petitioner
submits that nothing has been recovered from the possession of



the petitioner and as such no case under Section 414 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016 is made out against the petitioner. He further submits that the petitioner is not the owner of the motorcycle from which the alleged illicit Nepali liquor is said to be recovered and mere on suspicion, he has falsely been implicated in this case.

Learned A.P.P. for the State, however, opposes the prayer for grant of bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jaynagar P.S. Case No. 110 of 2021 (G.R. No. 656 of 2021) subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

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

