

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39731 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- GORAU District- Vaishali

Raj Kumar Sahni S/O Late Baldev Sahani R/O Village-Kishunpur Telar @
Kishunpur Telaur, P.S-Goraul (O.P. Katahara), District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

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

Petitioner who is in custody since 24.03.2021 seeks
bail in connection with Goraul P.S. Case No.28/2021 registered
for offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case in brief, is that upon search of the
house of the petitioner total 270 liters of Indian made foreign
liquor was recovered.

Learned counsel appearing on behalf of the petitioner
submits that seizure list was not prepared in presence of the



petitioner and the petitioner has fled away from the place of seizure and nothing was recovered from his conscious possession.

Learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner. It has further been submitted that illegal trade of liquor is rampant in the State of Bihar and its consumption has led to the death of several innocent people and such conduct of the petitioner is also against the public interest.

Considering the above-mentioned facts and circumstances of the case, and there being no allegation of tampering the evidence and influencing the witnesses and the trial being conducted soon, the petitioner, above named is directed to be enlarged on bail on furnishing bail bond of Rs.1,00,000/-(Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IInd-cum-Excise Court, Vaishali at Hajipur in connection with Goraul P.S. Case No.28/2021, 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 release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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