

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31164 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- KATRA District- Muzaffarpur

=====

LOCHAN SAHNI SLakhan Sahni Resident of Village - Mahisotha, P.s.-
Nanpur, Distt.- Sitamarhi in Connection with Kata P.S.- 78/22

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Lalan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-08-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Katra
P.S. Case No. 78 of 2022 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Sections
30(a)/37(c) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery
of 35 litre fermented toddy and disposal glasses from the place
of occurrence and petitioner as well as others was apprehended
on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 10.03.2022 and bears no criminal



antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner further submits that petitioner has been falsely implicated in this case and nothing incriminating has been recovered from the conscious possession of the petitioner and allegation and charge leveled against the petitioner is baseless.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released 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 Exclusive Excise Court No. 1, Muzaffarpur in connection with Katra P.S. Case No. 78 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

sanjeev/-

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

