

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38508 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- ALINAGAR District- Darbhanga

1. Amarjeet Sahani Son of Bihari Sahani Resident of Village - Joghatta, P.S. Bahera, District - Darbhanga.
2. Shankar Sahani Son of Jailal Sahani Resident of Village - Joghatta, P.S. Bahera, District - Darbhanga.
3. Shrawan Sahani Son of Sundar Sahani Resident of Village - Joghatta, P.S. Bahera, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Adv.
For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect, if any, be removed within two weeks from today.

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

The petitioners seek regular bail in connection with Alinagar P.S. Case No. 55 of 2022 lodged under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 314.10 litres Nepali wine made from the 3 motorcycles.

Learned counsel for the petitioners submit that they are not related with those motorcycles. They were apprehended

at a different place in Dhamsain Chowk. He further submits that petitioners are in custody since 05.06.2022 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-IIInd, Darbhanga in connection with Alinagar P.S. Case No. 55 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioners.

C. The petitioners shall file an affidavit at the time of

furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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