

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50787 of 2021

Arising Out of PS. Case No.-126 Year-2021 Thana- KISHANGANJ District- Kishanganj

DILIP SAHNI Son of Chuman Sahni Resident of Village- Tenghari Dhaphar,
P.S.- Siwaipatti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Kishanganj P.S. Case No.126/2021 arising out of Special Case No.105 of 2021 registered for the offence under Sections 272,273 and 120B IPC and Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act, 2016.

As per FIR, 600 ml of illicit foreign liquor and 1200 litres of illegal spirit were recovered.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner. The alleged recovery has been made from Pick-up Van. Petitioner is in custody since 14.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Kishanganj in connection with Kishanganj P.S. Case No.126/2021 arising out of Special Case No.105 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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