

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51030 of 2021

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

1. LALAN SAHNI Son of Rambalak Sahni @ Rambabu Sahni Resident of Village- Dakrama, P.S.- Hathauri, District- Muzaffarpur.
2. Sudish Sahni Son of Rambalak Sahni @ Rambabu Sahni Resident of Village- Dakrama, P.S.- Hathauri, District- Muzaffarpur.
3. Balbir Kumar Son of Beni Sahni Resident of Village- Dakrama, P.S.- Hathauri, District- Muzaffarpur.
4. Ramdeep Sahni Son of Ram Bahadur Sahni Resident of Village- Dakrama, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Kishanganj P.S. Case No. 126 of 2021 registered for the offence punishable under Sections 272/273/120B of the Indian Penal Code and Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.



Allegation is of recovery of 600 ML liquor from a Scorpio vehicle on which the petitioners were sitting and 1200 litres of spirit from a pick up van.

Learned counsel for the petitioners submits that the petitioner no.3 has clean antecedent and they have been falsely implicated in the present case. Learned counsel further submits that nothing has been recovered from conscious possession of the petitioners. Said recovery has been made from one Scorpio vehicle. Petitioner is in custody since 15.03.2021

The learned Additional Public Prosecutor for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each 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 of 2021 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient



reason, their bail bond shall be canceled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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