

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44745 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- MANIGACHI District- Darbhanga

Ram Bharosh Sahni, Son of Late Ramesh Sahni, R/O Village- Amai, P.S.-
Manigachhi, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Manigachi P.S. Case No. 106 of 2022 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per prosecution case, recovery of 6 litres of
country made *chulai* liquor was made from the motorcycle
which was driven by the petitioner. The petitioner was
apprehended from the spot.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. Petitioner was not carrying anything and he was arrested by the police merely on suspicion. Nothing incriminating has been recovered from his conscious possession and he has no concern with the allegedly recovered illicit liquor. The petitioner is in custody since 12.06.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner has made accused in one other case of similar nature.

Having regard to the submissions made hereinabove and considering the quantity of liquor recovered and further considering his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise- IInd, Darbhanga in connection with Manigachi P.S. Case No. 106 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already



framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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