

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47147 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Karu Kumar @ Karu Sahni, Son of Late Vinod Sahni, R/v- Hasanpur, P.S-
Mahnar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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 Mohiuddinagar P.S. Case No. 64 of 2022
registered for the alleged offences under Sections 272 and 273
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

Allegedly, the recovery of 360 litres of country made
liquor was made from a maruti 800 car. The petitioner was
apprehended after chase when he tried to flee away from the car.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. The petitioner has no concern either with the said car or the allegedly recovered illicit liquor. The petitioner is in custody since 30.03.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedents of similar nature.

Having regard to the submissions made hereinabove and considering the fact that the recovery has not been shown from this petitioner and further considering the submission of charge-sheet along with his period of custody, 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 Court No.-II, Samastipur in connection with Mohiuddinagar P.S. Case No. 64 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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