

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47127 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- ARER District- Madhubani

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Jiwan Sahani, Son of Late Tirpit Sahani, R/V- Haripur Majrahi Tol, P.S-
Kaluahi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), if any, 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 Arer P.S. Case No. 72 of 2022 registered for the
alleged offences under Sections 272, 273, 414, 290 of the Indian
Penal Code and Sections 30 (a) & 37 of the Bihar Prohibition
and Excise Act.

As per prosecution case, recovery of 60 liters of
Nepali country made liquor was made from the petitioner, who
has been carrying this liquor on his motorcycle.

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 with the recovered liquor. The charge sheet has been submitted in this case. The petitioner is in custody since 07.06.2022 and is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he 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 Additional Sessions Judge, 2nd -cum-Special Judge, Excise Act, Madhubani, in connection with Arer P.S. Case No. 72 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) 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)

V.K.Pandey/-

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