

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49641 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Horil Sahni, S/o Dhaneshwar Sahni R/o Village- Dadar, P.S.- Ahiyapur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 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 Ahiyapur P.S. Case No. 10 of 2021 registered
for the alleged offences under Sections 272 and 273/34 of the
Indian Penal Code and Section 30 (a) of the Bihar Prohibition
Act and Excise Act.

As per prosecution case, total 200 litres of raw *jawa*
(raw material for making country made liquor) was recovered
and destroyed in the house of the petitioner.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case and nothing



has been recovered from his conscious possession. The petitioner was not apprehended from the pot and nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 25.07.2022 and charge-sheet has been submitted. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering his clean antecedent along with his period of custody and the 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 Exclusive Special Excise Court No.1, Muzaffarpur in connection with Ahiyapur P.S. Case No. 10 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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)

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