

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50414 of 2022**

Arising Out of PS. Case No.-633 Year-2020 Thana- SARAIYA District- Muzaffarpur

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SANJAY SAHNI Son of Bharat Sahni Resident of Village - Laxmipur, P.S.  
Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      30-09-2022                      Let the defect(s), as pointed out by the office, be  
  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with  
Saraiya P.S. Case No. 633 of 2020 registered for the offences  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act.

As per prosecution case, there is secret information  
that co-accused Dharmendra Sahni and others were  
manufacturing spurious liquor near pond at Laxmipur. It is  
alleged that on the basis of aforesaid secret information police  
recovered 198.780 litre illicit wine from the hut of co-accused  
Dharmendra Sahni as well as from open place. Local people



disclosed the name of petitioner and others who fled away from the place of occurrence.

Learned counsel for the petitioner submits that petitioner is in custody since 19.06.2022 and bears no criminal antecedent. He further submits that petitioner is not apprehended on the spot. Nothing has been recovered from possession of the petitioner. Seizure list has not been made as per law.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. II, Muzaffarpur in connection with Saraiya P.S. Case No. 633 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

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

**(Alok Kumar Pandey, J)**

shahzad/-

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