

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51625 of 2022

Arising Out of PS. Case No.-10 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Jyoti Kumar Sahni, S/O Late Nageshwar Sahni, Resident of village-
Dharhara, P.S.- Hazipur Sadar, District- Vaishali (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. 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 Hajipur Sadar P.S. Case No. 10 of 2019
registered for the alleged offences under Section 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2018.

As per prosecution case, recovery of 887.400 liters
of India made foreign liquor was made from a pick-up-van. The
petitioner is stated to be the driver of the seized vehicle.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case at the instance of the owner of the vehicle. The petitioner

has left the job of driver of the vehicle in 2018 still the owner of the vehicle named him in this case. Learned counsel further submits that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. Charge sheet has been submitted in this case and the petitioner is in custody since 27.06.2022.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner, 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-cum-Additional District and Sessions Judge, Vaishali at Hazipur in connection with Hazipur Sadar P.S. Case No. 10 of 2019, 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)

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