

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63449 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- CHANDAN District- Banka

Ashok Sahni, Son of Late Shyamlal Sahni, Resident of Village- Near Durga
Mandir, Purabsarai, P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deep Nishi, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Chandan P.S. Case No.90 of 2021 registered for the offence
punishable under Sections 30(a)(g), 32(2) of the Bihar
Prohibition and Excise Act, 2018.

150.09 litres illicit liquor has been recovered from
a four-wheeler vehicle coming from Deoghar side. Petitioner is
stated to be the Driver.

Petitioner's counsel submits that the petitioner was
a professional Driver and had no knowledge about the illicit
liquor being kept in the vehicle. He has one antecedents, as per
disclosure made in paragraph 3 of the bail application. He is in
custody since 19.06.2021. There is no compliance of Section



100 Cr.P.C. and the alleged seizure is contrary to law.
Investigation is also complete.

Learned APP for the State has opposed the prayer
for bail.

Considering the rival submissions, the period of
custody as also the submission that investigation is complete,
this Court for the purposes of grant of bail is inclined to accept
the submissions advanced by the petitioner's counsel. Prayer for
bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail
on furnishing bail bond of Rs.10,000/- (Ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Additional Sessions Judge-II, Banka, in connection with
Chandan P.S. Case No.90 of 2021, subject to the following
conditions:

(i) That one of the bailors will be a
close relative of the petitioner who will
give an affidavit giving genealogy as to
how he is related with the petitioner. The
bailor will also undertake to inform the
court if there is any change in the
address of the petitioner.

(ii) That the petitioner will be well
represented on each date and if he fails



to do so on two consecutive dates, his
bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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