

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58085 of 2022

Arising Out of PS. Case No.-127 Year-2019 Thana- PIPRAHI District- Sheohar

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Anand Sahni @ Anandi Sahani S/o Sundar Sahani R/o village- Balwa,
Narkatia, P.S.- Piprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nasim Yahya, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks (if any).

In the present case, the petitioner seeks bail in
connection with Piprahi P.S. Case No. 127 of 2019 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, recovery of 32.4 litres of
Nepali country made liquor was made from a sack allegedly left
behind by the petitioner.

The learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case as he was not apprehended from the spot and nothing



incriminating has been recovered from his conscious possession. The petitioner is in custody since 17.11.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent and is accused in four cases of similar nature.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from from his conscious possession and further considering the period of custody of the petitioner along with the submission of charge-sheet against him, 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 Additional Sessions Judge-II-cum-Special Judge, Excise at Sheohar in connection with Piprahi P.S. Case No. 127 of 2019, subject to the condition mentioned in Section 437(3) of the Cr.P.C. and other 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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