

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55298 of 2022

Arising Out of PS. Case No.-183 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Sikandar Kumar Sahani @ Sikindar Sahni @ Sikandra S/O Ram Babu Sahani
R/O Village - Dharpur, P.S- Minaour, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Excise Case No. 183 of 2021 PR No. 2/21, lodged under
Sections 30(a), 30(c), 30(d) and 30(f) of the Bihar Prohibition
and Excise Act.

As per prosecution case, the total recovery of 125.00
liter of foreign liquor has been made, which is a subject matter
of the present case.

Learned counsel for the petitioner submits that name
of the petitioner has figured in this case by virtue of

confessional statement of co-accused. He also submits that petitioner is in custody since 05.05.2022 and charge-sheet has already been filed in this case. Learned counsel further submits that there are total 11 cases pending against the petitioner and he is on bail in 8 cases and in rest cases he is persuading for bail. Learned counsel also submits that the other co-accused person has already been granted bail in this case by Co-ordinate Bench of this Court vide order dated 21.11.2022 in Cr. Misc. No. 51971 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, court No. II, Muzaffarpur in connection with Excise Case No. 183 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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