

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68219 of 2021

Arising Out of PS. Case No.-115 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sheohar

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SURESH SAHNI Son of Late Jagdish Sahni Resident of Village- Belwa
Narkatiya, 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. Kumar Vishoka Nand, Advocate
Mrs. Nilam Kumari, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Excise Case No. C2-115 of 2019 registered for the alleged offences under Section 30(A) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, 114 liters of *Nepali* country made liquor was recovered from the courtyard of the house of this petitioner who escaped from his house when a raid was conducted.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The petitioner was not arrested from the spot and no recovery has been made from his conscious possession. Charge sheet has been submitted in this case and the petitioner is in custody since 09.08.2021

Learned APP for the State opposes the prayer for bail of the petitioner. However, he further submits that petitioner is having criminal antecedent.

Having regard to the facts and circumstances and considering the period of custody of this petitioner along with submission of charge sheet, 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 District and Sessions Judge-cum-Special Judge (Excise), Sheohar, in connection with Excise Case No. C2-115 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.



(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) 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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