

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56866 of 2022

Arising Out of PS. Case No.-629 Year-2019 Thana- MINAPUR District- Muzaffarpur

Sikandar Kumar Sahni @ Sikindra Sahni @ Sikandra, S/O - Ram Babu Sahani, R/O - Vill- Dharpur, P.S- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 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.

In the present case, the petitioner seeks bail in
connection with Meenapur P.S. Case No. 629 of 2019,
registered for the alleged offences under Sections 272, 273, 420,
120 (B), 414 of the Indian Penal Code and Sections 30 (a) and
41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 2157.12 liters of
India made foreign liquor was recovered from two trucks and
some pick up vans near Bagmati River and the co-accused Arun
Kumar was apprehended from the spot, who disclosed the name
of the petitioner along with other co-accused persons, who were



involved in bringing this liquor and doing the business of illicit liquor.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not arrested from the spot and except for the confessional statement of co-accused, there is nothing against this petitioner. The petitioner has been named in this case due to village politics and he has also been falsely implicated in other cases as well. The charge sheet has been submitted and the petitioner is in custody since 12.05.2022.

Learned APP opposes the prayer for bail submitting that huge quantity of liquor has been recovered and the petitioner is stated to be involved in the trade of illicit liquor. The petitioner has got criminal antecedent and is accused in other such cases.

Having regard to the submissions made hereinabove and considering the submission of charge sheet along with his period of custody, 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 Special Judge, Excise Act, Muzaffarpur, in connection with Meenapur (Muzaffarpur) P.S.



Case No. 629 of 2019 subject to the conditions mentioned in
Section 437 (3) of the Code of Criminal Procedure and 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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