

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57338 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- BASOPATTI District- Madhubani

Sanjeet Sahani @ Sanjeet Sahni Son of Ramfal Sahni Resident of village -
Bundelkhand, Ward No.- 11, P.S.- Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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
Basopatti P.S. Case No. 175 of 2021 lodged under Sections 272,
273 of the I.P.C. and Section 30(a) of Bihar Prohibition and
Excise Act.

As per the prosecution case, the total recovery of
42.600 litre Nepali wine has been made, which is the subject
matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel submits that petitioner is in custody since 21.08.2022

having 3 criminal cases pending against him in which he is on bail in all the cases. Charge sheet has already been filed in this case. He submits that the said the alleged recovery was made from a motorcycle and the said motorcycle does not belong to the petitioner.

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 Court in Additional Sessions Judge-II- Cum – Special Judge, Excise Act, Madhubani in connection with Basopatti P.S. Case No. 175 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 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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