

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59142 of 2022**

Arising Out of PS. Case No.-378 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Samastipur

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Dev Narayan Sahni @ Debu Sahni S/o Late Mahendra Sahni, Resident of  
Sajanpur, Ward no.- 01, P.S.- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      25-11-2022                      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 P.S. Case No. 378 of 2020, lodged under Section 30(a) of  
Bihar Excise and Prohibition (Amendment) Act, 2018.

As per prosecution case, total recovery relating to  
present case is 259.200 liter of illegal liquor.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. Learned  
counsel further submits that petitioner was not apprehended  
from the place of occurrence. Learned counsel also submits that

from the F.I.R. it transpires that the alleged recovery was made from the agricultural field (*Bathan*). Learned counsel further submits that petitioner is in custody since 15.07.2022 and charge-sheet has already been filed in this case. He also submits that there is two criminal cases pending against the petitioner and in both the cases, he is on bail.

Learned A.P.P. 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) 2, Samastipur, in connection with Excise P.S. Case No. 378 of 2020, 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 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.)**

ravishankar/-

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