

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16 of 2022

Arising Out of PS. Case No.-552 Year-2021 Thana- SAKRA District- Muzaffarpur

1. ARJUN SAHNI SON OF JAILAL SAHNI R/O VILLAGE- DEDAUL, P.S.- SAKRA, DISTRICT- MUZAFFARPUR
2. KISHAN @ KRISHNA SAHNI SON OF JAILAL SAHNI R/O VILLAGE- DEDAUL, P.S.- SAKRA, DISTRICT- MUZAFFARPUR
3. SANTOSH SAHNI SON OF JAILAL SAHNI R/O VILLAGE- DEDAUL, P.S.- SAKRA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 272, 273, 308, 328/34 of the Indian Penal Code and Section 30(a)(c) of the Bihar Prohibition and Excise Act.

Recovery is of 20 liters of country made liquor.

Learned counsel appearing for the petitioners



submits that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. Nothing have been recovered from the conscious possession of the petitioners rather the alleged recovery has been made from the bank of Gandak river and the petitioners have no concern with the alleged recovery and they have falsely been made accused only on the basis of suspicion. The petitioners are rotting in judicial custody since 12.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sakra P.S. Case No. 552 of 2021 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the



Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh/-

U		T	
---	--	---	--

