

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14201 of 2023**

Arising Out of PS. Case No.-397 Year-2022 Thana- NADI P.S. District- Patna

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LALLU SAHNI Son of Late Bamal Sahni @ Bokal Sahni Resident of  
Village- Banstal, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      11-05-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
25.12.2022 in connection with Nadi P.S. Case No.397/2022,  
F.I.R. dated 12.10.2022, for the offence punishable under  
Section 30(a) of Bihar Prohibition and Excise Amendment Act,  
2018.

According to prosecution case, total 175 litres of  
country made liquor is said to have been recovered from the  
possession of the petitioner.

Learned counsel for the petitioner submits that  
petitioner has falsely been implicated in the present case merely  
on the basis of disclosure made by the local people. He further  
submits that it appears from the F.I.R. as well as seizure list that



nothing has been recovered from conscious possession or the house of the petitioner and the petitioner has no concern at all with the alleged recovery of the illicit liquor. He further submits that the petitioner was not arrested on the spot and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.12.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that as per the supplementary affidavit, the petitioner has carried two criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna City, in connection with Nadi P.S. Case No.397/2022, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)**

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