

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29108 of 2023

Arising Out of PS. Case No.-361 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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1. PRADUM KUMAR SAHNI @ PRADUM KUMAR SAHANI Son of Lakhan Sahni R/o Naya Pilapara, Ward No.- 9, P.S.- Balrampur, District - Katihar
 2. Subhash Kumar @ Subhash Kumar Yadav Son of Uttam Lal Yadav R/o Chand Tola, Ward No.- 1, P.S.- Baishi, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners seek bail in connection with Excise P.S. Case No. 361 of 2023 registered for the offences punishable under Section 30(a)/32(3) of the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery of 76.560 litre foreign liquor was recovered from the car in question and petitioners are apprehended on spot.

Learned counsel for the petitioners submits that petitioner are in custody 19.03.2023 and bears no criminal



antecedent. He further submits that petitioners are quiet innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Court of Additional District & Sessions Judge-IV, Special Judge (Excise)-II, Kishanganj in connection with Excise P.S. Case No. 361 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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