

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46475 of 2023

Arising Out of PS. Case No.-36 Year-2020 Thana- PALANWA District- East Champaran

CHUMMAN SAHANI SON OF LAL BABU SAHANI @ BAHRAM
SAHANI RESIDENT OF VILLAGE- MANJHARIYA, PS- TURKAULIYA
(RAGHUNATH PUR OP), DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 08-09-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Palanwa P.S. Case No.
36 of 2020 dated 21.03.2020 registered for the offences
punishable u/ss 272 and 273 of the Indian Penal Code and
sections 30(a) and 41(1) of the Bihar Prohibition and Excise
Act.

4. As per the prosecution case, total 132 litres of
Kingfisher Strong Premium Beer along with 387 litres of Nepali



Kasturi liquor was recovered from the Tata Sumo vehicle.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the owner of the said vehicle. The petitioner has no knowledge about the said recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has nine other criminal cases which are related to similar nature of offence as stated in para 3 of the bail petition. The petitioner is in custody since 29.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Palanwa P.S. Case No. 36 of 2020, with conditions:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.



(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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