

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55117 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- RAJNAGAR District- Madhubani

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ARUN SAHNI @ KHONWA Son of Bhujangi Sahni VILL KARAHYA PS
RAJNAGAR DISTT MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Miss Kusum Rani, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with G.R. No. 740 of 2023 arising out of Rajnagar P.S. Case No. 119 of 2023 registered for the offence under Sections 272 and 273 of the Indian Penal Code section 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 60 liters of Nepali liquor.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to previous criminal antecedent. He further submits that it appears from the F.I.R. itself that nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the bush situated back



side of the house of the petitioner. He further submits that the petitioner has no concern at all with the alleged recovery. The petitioner is rotting in judicial custody since 12.06.2023.

Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Sessions Judge-II -cum- Special Judge, Excise Act, Madhubani in connection with G.R. No. 740 of 2023 arising out of Rajnagar P.S. Case No. 119 of 2023 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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