

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57805 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BARURAJ District- Muzaffarpur

Sanjeet Sahni S/O Late Anirudh Sahni R/O Vill.- Nirpur, P.S.-SAHEBGANJ,
Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
22.06.2023 in connection with Baruraj P.S. Case No. 135 of
2023, F.I.R. dated 21.06.2023 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition and
Excise Act.

3. Recovery is of 144 liters of illicit Beer.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Further submits that from a bare perusal of the FIR
it appears that nothing has been recovered from conscious
possession of the petitioner rather the recovery has been made
from the vehicle in question and altogether 144 liters of illicit



Beer has been recovered from the vehicle in question and the petitioner is neither the driver nor the owner of the vehicle in question and he has no concern at all with the alleged recovery of illicit Beer and there is non-compliance of Section 100 of Cr.P.C. and the petitioner is in custody since 22.06.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, nothing has been recovered from conscious possession of the petitioner, 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 learned Special Judge, (Excise) Court No.-II, Muzaffarpur in connection with Baruraj P.S. Case No. 135 of 2023, with the following conditions:-

(I) 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 cancelled by the Court below.



(II) 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.

(III) 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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