

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64570 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- SUGAULI District- East Champaran

Dharni Sahni @ Dharni Sahani, Son of Arjun Sahni Resident Of Village-
Mehwa, Ps- Sugauli, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sugauli P.S. Case No. 53/2022, lodged on 30.01.2022 under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2016.

3. As per the prosecution case, the recovery 20 litres
of country made illicit liquor is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. In fact the
recovery has not been made from the possession of the
petitioner rather the alleged recovery has been made behind the
house of the petitioner and only due to this reason, the petitioner



has been dragged in this case. He further submits that the petitioner is accused in eight more criminal case and in most of the cases, he has been granted bail. The petitioner is in custody since 24.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Motihari, East Champaran, in connection with Sugauli P.S. Case No. 53/2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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