

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66904 of 2023

Arising Out of PS. Case No.-261 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Arjun Sahni @ Arjun Kumar Sahni, S/O Baliram Sahani @ Baliram
Chaudhari Village- Hathiyahi, Ps. Piprakothi, Dist. East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raki Alam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pipra Kothi P.S. Case No.261/2022 lodged on 14.08.2023 under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.

3. As per the prosecution case, total recovery of 10
litres of country made 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. The alleged
recovery has not been made from the conscious possession of
the petitioner rather it has been made from a public place, i.e. an
orchard. The petitioner is in custody since 25.07.2023. The



petitioner is accused in five more criminal cases and in those cases, he is persuading for bail.

5. Learned counsel for the State opposes the prayer for bail and submits that at the time of considering the prayer for bail of the petitioner, this aspect must be taken into consideration that the petitioner is accused in five more criminal cases.

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, East Champaran, Motihari, in connection with Pipra Kothi P.S. Case No.261/2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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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