

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63967 of 2022

Arising Out of PS. Case No.-280 Year-2022 Thana- CHHAURADANO District- East
Champaran

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1. Rakesh Sahni S/O Late Sonelal Sahni @ Late Sonalal Sahani R/O Village-
Ajarwa, P.S- Lakhaura, District- East Champaran
 2. Jitendra Kumar S/O Jadolal Sahani R/O Village- Singha Malahi Tola, P.S-
Harasidhi, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023 Today being Friday, matters are being taken up through virtual
mode, as per current procedure for hearing.

Heard learned counsel for the petitioners and learned APP for
the State.

This Court would expect that the petitioners' counsel would
honour his undertaking in the instant proceedings regarding supply of
requisite court fee etc. within two weeks from the date he is called
upon to do so by the office.

Petitioners seek bail in connection with Chhauradano P.S.
Case No. 280 of 2022 registered under Sections 272, 273 of I.P.C.
and Sections 30(a), 32, 41(i) of Bihar Prohibition and Excise Act.

It is alleged that petitioners were delivering 55 litres country-
made liquor to co-accused Shivhdar Rai. They were arrested.

Learned counsel for the petitioners submits that the petitioners
have been implicated falsely. Recovery is denied and disputed, and is
not in accordance with law. Petitioner no. 1 has one criminal
antecedent wherein petitioner no. 2 has clean antecedent. They are in



custody since 14.08.2022.

Learned APP has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, the period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioners' prayer for bail. Prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, East Champaran, Motihari, in Chhauradano P.S. Case No. 280 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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