

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68105 of 2023

Arising Out of PS. Case No.-827 Year-2023 Thana- Excise P.S. District- West Champaran

Hosila Sahani Son Of Late Ramchandra Sahani Village Malahi Tola
Ratanamala Ps Bagha District West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bagaha (Excise) P.S. Case No. 827 of 2023 lodged under
Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the total recovery of
100 liter of wine has alleged to be made, which is subject matter
of the present case.

4. Learned counsel for the petitioner submits that the
said recovery has been made from the bike and petitioner was
apprehended from the place of occurrence.

5. Counsel for the petitioner submits that petitioner is
in custody is since 03.08.2023 having clean antecedent. He
further submits that under unfortunate circumstances, he was

implanted to used the bike by his unknown enemies.

6. Learned counsel for the State opposes the prayer for bail and submits that petitioner has clean antecedent.

7. 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 Special Judge, Excise, Bagaha, West Champaran in connection with Bagaha (Excise) P.S. Case No. 827 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. 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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