

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71872 of 2022

Arising Out of PS. Case No.-717 Year-2019 Thana- KHAGARIA District- Khagaria

SUDO SAHNI @ SUDHO SAHNI S/O LATE RAMOTAR SAHNI @
RAMAVTAR SAHNI Resident of Village- Sanhauli, P.S.- Khagaria
(Chitragupta Nagar), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-01-2023 Heard the parties.

The case is registered under sections 30(a) of the Bihar Prohibition and Excise Act, in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 717 of 2019.

The petitioner had earlier moved before this Court vide Cr. Misc. No. 66822 of 2021 which was rejected on 13.5.2022 with the direction to the trial Court to expedite the trial and take the same to its logical conclusion at an earliest.

The prosecution story read as follows:

The police during patrolling duty reached near Sanhauli Power Grid and found some persons fleeing away from the bush. The local 'Chowkidar' identified the accused persons and named them. The petitioner was one to them. On search



from the bushes, altogether 1162 pouches each containing 200 ml. of country-made liquor were recovered. It was in this way that the petitioner came into judicial custody.

Learned counsel for the petitioner submits that he has already suffered by being in custody since 11.8.2021 (as stated in para-15 of the bail application) and he is ready to cooperate in the trial.

Taking into account the period of incarceration as also that he will be cooperating in the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioners namely be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge (Excise), Khagaria, in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 717 of 2019 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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/her



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

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

(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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

