

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23 of 2023**

Arising Out of PS. Case No.-184 Year-2022 Thana- PIPRAKOTHI District- East Champaran

SUNIL SAHNI Son of Lalan Sahni R/V- Hathiyai P.s- Piprakothi Distt- East  
champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Pandey, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-04-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Piprakothi P.S. Case No. 184 of 2022 dated 21.06.2022  
registered for the offence under Sections 188, 272, 273, 308  
and 34 of the Indian Penal Code and Section 30(a), 32/34 of  
the Bihar Prohibition and Excise Act.

Recovery is of 1000 liters of raw country made  
wine kept in gallon.

Learned counsel appearing for the petitioner  
submits that the petitioner is innocent and has falsely been  
implicated in this case on the basis of suspicion. He further  
submits that it appears from the F.I.R. and the seizure list



that nothing has been recovered from the house or conscious possession of the petitioner rather the recovery has been made near the bank of river. He further submits that petitioner has no concern at all with the alleged recovery and Section 100 Cr.P.C. has not been followed by the police. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 09.11.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one and out of four he is allowed bail in two cases.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, East Champaran, Mothiari in connection with Piprakothe P.S. Case No. 184 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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