

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3336 of 2023

Arising Out of PS. Case No.-307 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

SANJAY SAHNI Son of Ram Lakhan Sahni Resident of Mohalla- Rahamganj
Kali Mandir, P.S.- Laheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 26-04-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Laheriasarai P.S. Case No. 307 of 2022, dated 06.07.2022
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that against the petitioner there is criminal
antecedent of one case in which he is on bail, in the present
matter against the petitioner investigation has been completed,
his trial has started and charges have been framed upon him and
petitioner has been languishing in jail since 06.07.2022 and the
petitioner is ready to co-operate in his trial and there is no
chance of early conclusion of the petitioner's trial.



4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the facts that the petitioner's trial has started and charges have been framed upon him and he has been languishing in jail since 06.07.2022 and there is no allegation by prosecution as to the petitioner having tampered the evidence or witnesses of the prosecution till date and his trial is at initial stage, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Laheriasarai P.S. Case No. 307 of 2022, on the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move



for cancellation of his bail.

(iii) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J.)

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