

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24506 of 2024

Arising Out of PS. Case No.-82 Year-2020 Thana- SUGAULI District- East Champaran

Akhilesh Sahani son of Gagandev Sahani Resident of Village- Muswa
Bhedihari, Konwa Tola, P.S.- Sugauli, district- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Sugauli P.S. Case No. 82 of 2020 registered under Sections 30 (a) of the Bihar Prohibition and Excise Act lodged on 06.02.2020 by the informant, Rohit.

3. As per the prosecution story, the informant alleged that on secret information different places were raided, semi prepared liquor and 'Bhati' were destroyed, 100 liters of semi prepared liquor recovered from the bank of Bhrama Sthan. They gave the name of this petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that neither there is recovery from his house nor from his conscious possession, only because he has criminal antecedent, implicated



and he has also suffered by being in custody since 17.01.2024 (as stated in paragraph 9 of the petition).

5. Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent.

6. Taking into account the aforesaid facts as also that he has remained in custody since 17.01.2024, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, East Champaran at Motihari in connection with Sugauli P.S. Case No. 82 of 2020 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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



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 his 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 the bail bonds.

(Rajiv Roy, J)

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