

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47650 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- PATKHAULI District- West Champaran

KESHAV SAHANI SON OF RAJKUMAR SAHANI VILLAGE-
NARAINAPUR GHAT, P.S.- BAGAHA (PATKHAULI), DISTT.- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Patkhauli P.S. Case No. 08 of 2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery 89.574 liters of nepali and english liquor from petitioner's bike and from baboo clump behind the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence as alleged in the first information report. He has been falsely

implicated in this case. The alleged recovered articles does not belong to the petitioner and he is not the owner of the vehicle in question. The bamboo clump also does not belong to this petitioner. Petitioner is having criminal antecedent of three cases in which he is on bail. Petitioner is in custody since 17.05.2024.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and the materials available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Bagaha, West Champaran in connection with Patkhauli P.S. Case No. 08 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for

cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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