

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1750 of 2024

Arising Out of PS. Case No.-94 Year-2021 Thana- BANGARA District- Samastipur

Adhik Sahni S/O LAKSHO SAHNI VILL/MOHALLA- BASERIA
MASALA PATTI MIDDLE SCHOOL, PS. GONU DIH, DISTT. DHANBAD
STATE (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
N.H. Bangara P.S. Case No. 94 of 2021 registered under
Sections 272/273 of the I.P.C. and 30(a) of Excise Act 2016

3. As per the prosecution case, F.I.R. has been lodged
against three named accused persons and owner of the vehicle
from whose vehicle there is a recovery of 870 litre of illicit
liquor.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that he has
handed over his vehicle to the driver and the staff of the
petitioner who were driving his vehicle are responsible for any



wrong activities. He further submits that nothing incriminating has been recovered from the possession of the petitioner rather his name has been figured during course of the investigation. He further submits petitioner is in custody since 04.10.2023 having clean antecedent and chargesheet has already been filed in this case.

5. Learned counsel for the State opposes the prayer for bail and submits that petitioner is owner of the vehicle and he is also responsible for any wrong activities which is done by his vehicle.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Judge (Excise), Samastipur in connection with N.H. Bangara P.S. Case No. 94 of 2021 , subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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.

(Dr. Anshuman, J)

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