

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49507 of 2018

Arising Out of PS.Case No. -63 Year- 2018 Thana -PURANHIA District- SHEOHAR

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Chhunu Sahni @ Chhanu Sahni, S/o. late Pradeshi Sahni, R/o. Village-
Piprahi Punarwas, P.S.- Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 10-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 30 (A) and 38 of the Bihar Prohibition and Excise Act, 2016.

97.500 liters of Nepali liquor is said to have been recovered from the bank of river kept there by the petitioner and co-accused Rajesh Sahani for vending and both the accused persons were apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery. Place of recovery is an open place and is easily accessible to anyone. He has been



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falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and the real culprit managed to escape dumping the aforesaid liquor there seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 29.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to 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 learned 1st Additional District and Sessions Judge-cum-Special Judge Excise, Sheohar in connection with Purnahiya P.S. Case No. 63 of 2018.

(Prakash Chandra Jaiswal, J)

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