

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48449 of 2018

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

=====

Rajesh Sahani, S/o Bihari Sahani, Resident of village – Piprahi Sultan, P.S.-
Bairgania, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma

=====

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

2 08-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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 litres of Nepali saufi wine is said to have
been recovered from the bank of river said to be kept there by the
petitioner and co-accused Chunnu Sahni 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 with the place of recovery. Place of
recovery is open place and is easily accessible to anyone. He has



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

Considering the facts aforesaid, 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 Addl. District and Sessions Judge-I cum Special Judge, Sheohar in connection with Purnahiya P.S. Case No. 63 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

