

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28728 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -NAYA RAM NAGAR District- MUNGER

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Firoj Sahani, Son of Late Kamli Sahni, Resident of Mohalla- Lallu Pokhar
Ward No. 31, P.S.- Kasim Bazar, Dist.-Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Nishi

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 19-06-2018 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 and 32 of the Bihar
Prohibition and Excise Act, 2016.

189 litres of foreign liquor is said to have been
recovered from the Tata Magic goods carriage and one of the co-
accused namely Pramod Yadav was apprehended while others
managed to escape alighting from the said vehicle. Apprehended
accused disclosed the name of the petitioner as one of his fleeing
accomplices.

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 vehicle in question. He has been falsely implicated in the case by the apprehended accused Pramod Yadav due to animosity. He was not apprehended on the spot. He has been languishing in custody since 08.04.2018. Said Pramod Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 08.05.2018 passed in Cr. Misc. No. 27960 of 2018.

Learned APP vehemently opposing the prayer for bail submitted that the petitioner is having criminal antecedent and several Excise Act Cases have been lodged against him.

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 Special Judge, Excise, Munger in connection with Naya Ramnagar P.S. Case No. 51 of 2018 with condition that if the petitioner is found involved in similar nature of offence in future, prosecution will be at liberty to move before the learned lower court for cancellation of bail bonds of the petitioner.

(Prakash Chandra Jaiswal, J)

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