

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44591 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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Tej Narayan Sahani Son of Late Basudev Sahni Resident of Village Kataiya,
P.S. Benipatti, District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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

ORAL ORDER

4 09-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with G.O.
Case no. 89 of 2018 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

2099.99 lts. of foreign liquor is said to have been
recovered from poultry farm of the petitioner and he was
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized liquor. Though, he happens to be owner of the said
poultry farm, but he had given the said poultry farm to one Md.



Chunnu for running it and said Md. Chunnu had kept the aforesaid liquor in the said poultry farm, who managed to escape seeing the personnel of Excise Department. He has been falsely implicated in this case. He has no criminal antecedent. He has been languishing in custody since 14.05.2018 and said Md. Chunnu has been enlarged on anticipatory bail by a co-ordinate Bench of this Court.

On the other hand, learned APP vehemently opposed the bail prayer of the petitioner and submitted that huge quantity of foreign liquor has been recovered from the poultry farm of the petitioner and he was apprehended from the said place and he failed to substantiate running of poultry farm by Md. Chunnu. Hence, he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, learned court below is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order and S.P. Madhubani is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P.



Madhubani by fax for needful.

(Prakash Chandra Jaiswal, J)

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