

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45135 of 2018

Arising Out of PS. Case No.-122 Year-2018 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

-
-
1. Mannu Sahni, S/o Shatrughan Sahni, R/o Mohalla- Balughat, P.S.- LNMU, District- Darbhanga.
 2. Nandu Sah S/o Late Mohan Sah, R/o Mohalla- Lal Mazid Kdirabad, P.S.- LNMU, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with University P.S. Case No. 122 of 2018 registered under Sections 30(A), 32(2) and 41 of Bihar Prohibition and Excise Act, 2016.

130.500 lts. of Nepali liquor is said to have been recovered from a bag near betel shop on the private bus stand and the petitioner Mannu Sahni sitting on the said bag was apprehended while petitioner Nandu Sah managed to escape. The apprehended accused disclosed the name of the petitioner Nandu Sah as his fleeing accomplice.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from



conscious physical possession of the petitioners. They have no concern either with the seized liquor or with the place of recovery. The place of recovery is open place and easily accessible to anyone. The petitioner Mannu Sahni has been falsely implicated in this case by the police merely on suspicion while he was standing near the betel shop on his motorcycle in wait of his friend at the time of occurrence. He had not made any disclosure. Barring the aforesaid disclosure of Mannu Sahni, there is nothing in the record indicating the complicity of the petitioner Nandu Sah in the occurrence. He was not apprehended on the spot. They have no criminal antecedent. They have been languishing in custody since 10.06.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IVth-cum-Special Judge, Darbhanga in connection with University P.S. Case No. 122 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

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

