

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45822 of 2018

Arising Out of PS. Case No.-314 Year-2018 Thana- KUDHNI District- Muzaffarpur

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Ram Udit Sahani S/o Late Durga Sahani, R/o Vill.- Karhani Naya Tola, P.S.-
Kurhani, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Vinod Shankar Modi

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

ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Kudhani P.S. Case no. 314 of 2018 registered for the offence
punishable under Sections 414/34 of I.P.C. and Sections 30(A),
38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

299.44 lts. of foreign liquor is said to have been
recovered from the door of Anil Sahani, motorcycle parked in
the house of Anil Sahani and from the house and poultry farm of
the Anil Sahani and petitioner who happens to be father of said
Anil Sahani was apprehended in the course of escaping.

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 or with the place of recovery or with any trade of liquor. He had no knowledge of keeping of liquor at the aforesaid place by his son Anil Sahani and has also no concern with the aforesaid trade of his son. He has been falsely implicated in this case merely because he happens to be father of Anil Sahani. Police has falsely obtained his signature on the blank paper and converted it into the seizure list and his confession. He has no criminal antecedent. He has been languishing in custody since 26.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Kudhani P.S. Case no. 314 of 2018.

(Prakash Chandra Jaiswal, J)

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