

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70583 of 2019

Arising Out of PS. Case No.-208 Year-2019 Thana- BHAGWANPUR District- Vaishali

Rakesh Kumar Sahni Son of Late Bilash Sahni Resident of Village- Banthu
West, P.S.- Bhagwanpur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand

For the Opposite Party/s : Mr. Khurshid Anwar

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

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 208 of 2019 registered for the
offence punishable under Section 30 (a) of Bihar Prohibition &
Excise Act-2018.

30 lts. of country made liquor is said to have been
recovered from the *Bathan* 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 either
with the seized liquor or with the *Bathan* in question. The



aforesaid *Bathan* is open place and easily accessible to all. He has been falsely implicated in this case merely on suspicion while he was passing through the place of occurrence at the time of occurrence. Petitioner has no criminal antecedent and has been languishing in custody since 16.08.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 208 of 2019.

(Prakash Chandra Jaiswal, J)

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