

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72223 of 2019**

Arising Out of PS. Case No.-64 Year-2019 Thana- MAHINDWARA District- Sitamarhi

BACHCHA SAHNI Son of Late Yogendra Sahni Resident of Village -  
Madhopur, P.S.- Hathauri, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rabindra Nath Tiwari

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

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

The petitioner seeks regular bail in connection with Mahindwara P.S. Case No. 64 of 2019 for the offence registered under Sections 30(a), (b), (c), (f), 37 and 41 of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-b), (a), 27 & 35 of the Arms Act.

The allegation is regarding the petitioner and the co-accused persons having been caught by the Police near Sri Ram Hotel while they were unloading some articles from a truck and upon interrogation, they are said to have disclosed that illicit liquor was kept in the truck and the owner of the said illicit liquor were Arun Bhagat and Pramod Sahni. Thereafter, huge quantity of illicit liquor was seized from the said truck by



the Police.

The learned counsel for the petitioner has submitted that admittedly even as per the FIR, the petitioner is neither owner of the truck nor the owner of the illicit liquor and at best he can be stated to be the person unloading the truck. It is further submitted that country made pistol and two fired cartridges are stated to have been recovered from the truck, however, since the petitioner is neither the driver nor owner of the truck, he cannot be saddled with the liability of the said fire arm recovered from the said truck. Lastly, it is submitted that the petitioner is having a clean antecedent and he is languishing in custody since 28.05.2019.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to 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 Special Judge, Excise Act, Sitamarhi in connection with Mahindwara P.S. Case No. 64 of 2019.

**(Mohit Kumar Shah, J)**

S.Sb/-

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