

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76377 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- KANHAULI District- Sitamarhi

Sanjay Sahni S/o Shankar Sahni R/o village- Pipraghat, P.S.- Kanhauli,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Anita Kumari

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

ORAL ORDER

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

Petitioner seeks bail in connection with Kanhauli
P.S. Case No. 112 of 2019 registered for the offence punishable
under Section 414 of the Indian Penal Code and Section 30(a) of
Bihar Prohibition & Excise Act-2016.

27 lts. of Nepali liquor is said to have been
recovered from a motorcycle and the petitioner and co-accused,
namely, Rupesh Mandal were apprehended in the course of
escaping from the said motorcycle.

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. He has been falsely implicated in this case by the police at the instance of his enemy by planting the aforesaid recovery from his possession. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and has been languishing in custody since 11.10.2019.

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

Having regard to 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 A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Kanhauli P.S. Case No. 112 of 2019.

(Prakash Chandra Jaiswal, J)

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