

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1850 of 2020

Arising Out of PS. Case No.-296 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

PRAMOD SAHNI Son of Late Dahur Sahni Resident of Village - Tira
Jatmalpur, P.S.- Kalyanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

48.825 liters of foreign liquor is said to have been recovered from the auto rickshaw (tempo) of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has no concern either with the seized liquor or any trade of liquor. Petitioner was not apprehended at the spot. He has been falsely implicated in the case. As a matter of fact, the petitioner has purchased the said vehicle to earn his livelihood but due to his poor health he was unable to ply the same and



the same was parked at his door. Few days prior to the alleged occurrence one Jagarnath Sahni approached him to give his tempo to ply it on daily wages basis. He has been named in this case as he is the owner of the said tempo. He has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, subject to showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the Juvenile Justice Fund of the State Social Welfare Department and on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Darbhanga in connection with G.O. Case No.801 of 2019, arising out of Laheriasarai P.S. Case No. 296 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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