

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2996 of 2020

Arising Out of PS. Case No.-298 Year-2019 Thana- BIRAUL District- Darbhanga

Bhola Sahni, Son of Saudagar Sahni, Resident of Village - Afzala Khewa
Tole, Supaul Bazar, P.S.- Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi

For the Opposite Party/s : Mr. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks regular bail in connection with G.O.
Case No.1178 of 2019 arising out of Biraul P.S. Case No. 298 of
2019, registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the police party upon secret information
raided the land of one Kundan Sahni and recovered a total quantity
of 305.280 litres of illicit liquor from the field of co-accused,
Kundan Sahni.

Mr. Iqbal Asif Niazi, learned counsel appearing for the
petitioner submits that the petitioner has not committed any offence
in the manner alleged and no illicit liquor has been recovered from
his conscious possession or the premises belonging to the
petitioner. Learned counsel for the petitioner further submits that



the petitioner is not named in the FIR and the name of the petitioner has come on the basis of confessional statement made by co-accused, Kundan Sahni, who has been granted bail by this court vide order dated 07.01.2020 passed in Cr. Misc. No.82752 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is not named in the FIR and no illicit liquor has not been recovered from the conscious possession or the premises belonging to the petitioner and the co-accused, Kundan Sahni, on whose confessional statement, the name of the petitioner has transpired in this case, has been granted bail by this Court and the petitioner is in custody since 15.12.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Darbhanga, in connection with G.O. Case No.1178 of 2019, arising out of Biraul P.S. Case No. 298 of 2019.

(Anil Kumar Sinha, J)

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