

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18870 of 2020

Arising Out of PS. Case No.-80 Year-2019 Thana- PIPRAKOTHI District- East Champaran

PRAMOD SAHANI son of Mishri Lal Sahani Resident of Village - Mathiya
Bariyarpur, Malahi Tola, Police Station - Pipra Kothi, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Piprakothi Police Station Case No. 80 of 2019, registered for the
offences punishable under Sections 272/273 of the Indian Penal
Code and Section 30 (a) of the Bihar Prohibition and Excise
Act, 2016.

The petitioner is not named in the First Information
Report. The prosecution story, in brief, is that the police, on the
basis of secret information, raided the hut of one Mishri Lal
Sahani and recovered 150 litres of illicit country-made liquor
from the said hut. The name of the petitioner has transpired on



the basis of the re-statement of the informant, who is the A.S.I. of Piprakothi Police Station, and the petitioner happens to be the son of said Mishri Lal Sahani.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged inasmuch as from perusal of the First Information Report itself, it would be evident that the illicit liquor has been recovered from the hut of co-accused Mishril Lal Sahani, who is the father of the petitioner. He further submits that the petitioner is not named in the First Information Report and he has been implicated in this case due to oblique motive by the informant. He further submits that the illicit liquor has not been recovered from the conscious possession of the petitioner or the premises belonging to him. He further submits that the petitioner is in judicial custody since 26.11.2019.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is not named in the First Information Report, no illicit liquor has been recovered from the conscious possession of the petitioner or the premises belonging to him and he is in custody since 26.11.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), East Champaran, at Motihari, in connection with Piprakothi Police Station Case No. 80 of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	✓	T	✓
---	---	---	---

