

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18178 of 2020

Arising Out of PS. Case No.-355 Year-2019 Thana- MOTIPUR District- Muzaffarpur

MANISH SAHANI @ MANISH KUMAR S/o Ram Chandra Sahani R/o
village- Kalyanpur, Harauna, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, APP
Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-05-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard Shri Bhavesh Kumar, the learned counsel appearing for the petitioner and Shri Ashok Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Motipur P.S. Case No. 355 of 2019 for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a)/41(1)(2) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 7.5 liters of illicit foreign liquor and 35 liters of illicit raw spirit from the



boring house of the village.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he is having a clean antecedent and has been falsely implicated in the present case. The learned counsel for the petitioner has submitted that no recovery has been made from the conscious possession of the petitioner and the petitioner is languishing in custody since 2.2.2020.

Per contra, the learned APP appearing for the State has submitted that the petitioner is named in the FIR and there is specific allegation against him.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also considering the fact that the petitioner is having a clean antecedent and is languishing in custody since 2.2.2020, I deem it fit and proper to direct for release of the petitioner on bail upon him furnishing personal bond to the satisfaction of learned Special Judge (Excise), Muzaffarpur in connection with Motipur P.S. Case No. 355 of 2019.

It is further directed that once the lock-down is over and normal situation is restored, the petitioner, above named, shall furnish bail bonds of a sum of Rs. 10,000/- with two sureties of the like amount each, within a period of four weeks,



to the satisfaction of learned Special Judge (Excise),
Muzaffarpur in connection with Motipur P.S. Case No. 355 of
2019, failing which the present privilege of bail being extended
to the petitioner shall stand revoked automatically.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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