

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19373 of 2020**

Arising Out of PS. Case No.-914 Year-2019 Thana- KHAGARIA District- Khagaria

VISHNU SAHNI S/o Late Natho Sahni Resident of Village- Baluahi, P.S. and
Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-06-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

550 pieces of codine syrup each containing 100 ml.
is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case due to dirty village politics. No
incriminating article has been recovered from his conscious
physical possession. The house of the petitioner is inhibited by



his several family members from which the alleged recovery has been made. There is violation of Section 100 Cr.P.C. Learned counsel for the petitioner further submits that this case is ought to have been lodged under the Drugs and Cosmetics Act but, due to ill motive, it has been lodged under the Excise Act. The petitioner has no criminal antecedent and has been languishing in custody since 26.02.2020.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Khagaria in connection with Khagaria P.S. Case No.914 of 2019, G.R. No.3614 of 2019.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

