

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21137 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

DINESH SAHANI (Male), aged about 46 years, Son of Late Naga Sahani,
Resident of Village - Bairiya, P.S.- Sahebganj, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pravin Kumar, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 272, 273, 120(B) of the IPC and 30(a)
(g), 33, 34(b), 35(a), 36, 41(a)(2) of the Bihar Prohibition and
Excise Act, 2016.



The prosecution story, in brief, is that total 980.500 liters wine is recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 18.02.2020. The petitioner has got no criminal antecedent. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that 980.500 liters wine is recovered from the house in question. The said house in question belongs to the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no recovery of any incriminating article from conscious possession of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of



the learned Special Judge, Excise, Muzaffarpur, in connection with Sahebganj P.S. Case No. 70 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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