

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21577 of 2020**

Arising Out of PS. Case No.-132 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

BINOD SAHANI @ VINOD SAHNI Son of Bharat Sahni Resident of
Village - Kafain Latif, P.S.- Bochahan, P.O.- Kafen, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha, Advocate

For the Opposite Party/s : Mr.Uma Nath Mishra, (APP)

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

2 07-08-2020

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing on behalf of

the State.

The petitioner is apprehending arrest in

connection with Bochahan P.S. Case No. 132 of 2019 for

offences under Sections 272, 273, 34 IPC and 30(a), 32(ii),

38(ii) of the Bihar Prohibition and Excise Act, 2016.

In the instant case total 1171 liters of liquor

was seized from a pickup van.

Learned counsel for the petitioner submits

that the petitioner has no criminal antecedent. Nothing was

recovered from the conscious possession of the petitioner or

from the house of the petitioner.

Considering the fact that the petitioner has no



criminal antecedent and recovery was not made from the exclusive or conscious possession of the petitioner, the Court is inclined to grant bail to the petitioner subject to the condition that the petitioner has to deposit Rs.50,000/- in cash. On depositing the amount of Rs.50,000/-, petitioner, above-named, in the event of arrest or surrender within six weeks from today, shall be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise), Muzaffarpur in connection with Bochahan P.S. Case No. 132 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deposit of Rs.50,000/- (Rupees fifty thousand) cash shall abide by the final outcome of the instant criminal case.

(Anil Kumar Upadhyay, J)

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