

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21902 of 2020**

Arising Out of PS. Case No.-28 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

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RAMNARESH SAHANI S/o Naga Sahani Resident of Village- Bairiya, P.S.-
Shebganj, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

At the outset, the learned counsel for the petitioner undertakes to remove all the defects, as pointed out by the stamp reporter, within a period of four weeks of resumption of normal physical functioning of the Court including resumption of physical filing.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Sahebganj P.S. Case No. 28 of 2020 for the offence punishable



under sections 272 and 273 of the Indian Penal Code read with section 30(a) of Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 409.665 litres of illicit liquor from the market shop in question.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 04.05.2020. It is further submitted that though the petitioner is accused in two other cases, but he is on bail in one of the cases. It is further submitted, by referring to paragraph-8 of the present petition, that the petitioner has got no concern either with the illicit liquor or with the place from where the same has been recovered and, in fact, the petitioner was not apprehended from the spot.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the fact that the shop in question does not belong to the petitioner and moreover he has not been arrested from the spot, I deem it fit and proper to direct for the release of the petitioner on regular



bail.

Accordingly, the petitioner, above-named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise Act, Muzaffarpur in connection with Shahebganj P.S. Case No. 28 of 2020.

(Mohit Kumar Shah, J)

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