

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33565 of 2020

Arising Out of PS. Case No.-111 Year-2019 Thana- JADOPUR District- Gopalganj

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BUDHAN SAHNI @ BUDHAN SAHANI, aged about 42 years, Male, S/o
Sukdev Sahni @ Sukhdev Sahni, R/o village- Balua Tola, P.S.- Jadopur,
District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Satyendra Rai, Advocate.

For the Opposite Party : Mr. Dr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2020 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 after restoration of normalcy.

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 30(a) and 41 of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 05 liters



wine is said to have been recovered from co-accused Nagendra Singh.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 03.03.2020. Charge sheet 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. The name of the petitioner has transpired in the present case on the disclosure made by co-accused Nagendra Singh. From possession of co-accused Nagendra Singh, total 05 liters wine is said to have been recovered. There is no recovery of any liquor from possession of the petitioner. He had no knowledge regarding the alleged incident. 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.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-2nd-cum-Special Judge, Excise, Gopalganj, in connection



with Jadopur P.S. Case No. 111/2019.

(Sudhir Singh, J)

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