

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33804 of 2020

Arising Out of PS. Case No.-419 Year-2020 Thana- SITAMARHI District- Sitamarhi

RAMBABU SAHNI Son of Late Janakdhari Sahni Resident of Village -
Lagma, Police Station - Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Suchita Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-12-2020 In view of the submission and the undertaking of the learned counsel for the petitioner, at the time of hearing of this application through video conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 09.12.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Sitamarhi P.S. Case No. 419 of 2020, registered under Sections 30(a), 36 of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of checking of



vehicle, the informant and other Police personnel received information about carrying of liquor loading on white colour car towards Lohiya Nagar. The informant and other Police personnel proceeded to Lohiya Nagar then a white colour car was found parked and behind the said car, three persons, who were boarded on motorcycle, were found escorting the said car. When informant and other Police personnel reached near the car then three persons boarded on the motorcycle started fleeing, but on chase they were apprehended. The driver of the car also started fleeing, but he was apprehended by the Police party. The person, who was moving on car disclosed his name Pushp Raj and three others also disclosed their names as Rambabu Sahni (Petitioner), Amit Yadav and Ritu Raj. On search of car, four cartons each containing 12 bottles of 750 ML, 298 bottles of 180 ML and 48 bottles of 375 ML Indian made foreign liquor in volume of 123.015 liters recovered. The driver of the car, namely, Pushp Raj also disclosed that Amit Yadav, Ritu Raj and Rambabu Sahni (petitioner) were discharging their duty as liner and they were escorting the car.

Learned counsel appearing for the petitioner submits that petitioner was not apprehended from the car from which the alleged cartons of liquor are said to be recovered.



The petitioner has no criminal antecedent and he is in custody since 12.08.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 419 of 2020.

(Rajendra Kumar Mishra, J)

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