

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22139 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

SANTOSH SAHANI, Son of Sitaram Sahani, Resident of Village - Chaukia,
P.S.- Baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on receiving information about five named accused persons doing business in liquor a raid was conducted. It is stated that a truck was found to be parked. Seeing the police personnel a number of named accused persons managed to escape and were identified by the Chowkidar. On search a total of about 2100 litres of IMFL was recovered. 369 litres of liquor was recovered from a vehicle of which the petitioner is the registered owner.



It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. No incriminating article has been recovered from his possession nor from his car. He has been falsely implicated in the case wrongly alleging about recovery of liquor from the car of which he is the registered owner. He is in custody since 2.12.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent and having remained in custody for over 9 months, the petitioner is directed to be enlarged on bail in connection with Sahebganj P.S. Case no. 113 of 2020 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 Special Judge, Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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