

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28953 of 2021

Arising Out of PS. Case No.-407 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

SURESH SAHNI, S/O YOGENDRA SAHNI, R/o village- Gangati, P.S.-
Minapur, District- Muzaffarpur

... .. 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. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2021 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 420, 467, 468, 471 and 120B of the Indian Penal Code and sections 30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per allegations in the FIR, 3141 litres of liquor was recovered from a truck and two accused persons were taken in to custody. The name of the petitioner transpired on the statement of the co-accused.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in the case. No incriminating article has been recovered from his possession nor was he arrested on the spot. The only material against him is the



statement of co-accused made before the police. He is in custody since 2.3.2021 and investigation in the case has concluded.

It is further submitted by learned counsel for the petitioner that the urgency in hearing of the application is the seriousness of the illness of his wife who has been referred to AIIMS, Delhi, and that the supporting documents have been brought on record by way of a supplementary affidavit.

The application for bail is opposed by learned APP appearing for the State who submits that the petitioner has a case under the Bihar Prohibition and Excise Act, 2016 pending against him.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the allegations in the FIR and the petitioner having remained in custody for 6 months, the petitioner is directed to be enlarged on bail in connection with Kuchaikote P.S. Case no.407 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 Addl. Sessions Judge II, Gopalganj.

(Partha Sarthy, J)

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