

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29200 of 2021**

Arising Out of PS. Case No.-425 Year-2020 Thana- MINAPUR District- Muzaffarpur

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RAM BABU SAHNI Son of Late Devki Sahni Resident of Village - Dharpur,
P.S.- Meenapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha

For the Opposite Party/s : Ms. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 15-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Meenapur Police Station Case No. 425 of 2020, registered for the offences punishable under Sections 272/273/414/420/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information that one tractor, without number plate, loaded with soil was carrying illicit liquor under the soil, proceeded towards the place of occurrence and stopped one tractor, without any number plate, and on seeing the police party, the driver and his other associate tried to flee away, but on chase, the driver, Saroj Kumar and one

another co-accused Sunil Kumar were apprehended by the police, who disclosed that wine, hidden under the soil, belongs to the petitioner, who is indulged in the illicit business of manufacture and transport of illicit liquor and the petitioner had directed the driver of the said tractor to hand over the same to another driver near a petrol pump at Bahbal Asthan. It has further been alleged that on search of the tractor, a total quantity of 396 litres of illicit liquor was recovered.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to village politics. He further submits that the illicit liquor has not been recovered from his conscious possession, rather the same was recovered from the tractor, which was being driven by the driver. He next submits that the petitioner is in custody since 06.02.2021 and charge sheet has already been submitted in this case against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials available on record and the fact that the petitioner has criminal antecedent inasmuch as he is accused in seven other criminal

cases of similar nature, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after three months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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