

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32204 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- DURAULI District- Siwan

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KESHWAR SAHANI S/o- MOHAN SAHANI Resident of Village-
Ghumawar, P.S.- Darauli, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 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 Darauli Police Station Case No. 40 of 2021, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is that the police, on the basis of secret information that the petitioner, along with others, was dealing in illicit liquor in front of his house, proceeded towards the place of occurrence and upon seeing the police party, three persons managed to escape, however, the petitioner, along with two other persons, was arrested and a total quantity of 104.36 litres of illicit liquor has been recovered from in front of the house of the petitioner.



Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and has falsely been implicated in this case on the basis of illicit liquor being recovered from in front of the house of the petitioner. He further submits that no illicit liquor has been recovered from the conscious possession and/or house belonging to the petitioner. He next submits that the petitioner is in custody since 09.02.2021 and charge sheet has been submitted 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 concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, no illicit liquor has been recovered from his possession, charge sheet has already been submitted and the petitioner is in custody since 09.02.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, Keshwar Sahani, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge,



Excise, Siwan, in connection with Darauli Police Station Case
No. 40 of 2021.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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