

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33739 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- ADAPUR District- East Champaran

CHANDESHWAR SAHANI Son of Brahamdev Sahani @ Braham Sahani
Resident of Village - Sarsaula, P.S.- Lakhoura, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2021 Heard Mr. Prateek Tandon, learned counsel for the

petitioner and Mr. Abhay Kumar, Additional Public Prosecutor

for the State.

Petitioner seeks regular bail in connection with
Adapur PS Case No. 52/2021 registered for the offences
punishable under Sections 413/414/34 of the IPC and Section
30(a), 41(I) and 45 of Bihar Prohibition & Excise Act 2016.

The police recovered total quantity of 69 litres of
Nepali country made liquor from the motorcycle on which the
petitioner along with one another person was sitting.

Learned counsel for the petitioner submits that the
petitioner has not committed offence in the manner alleged and
he is not the owner of the said motorcycle and at the time of
seizure, he was sitting on the motorcycle as pillion rider.



Learned counsel further submits that petitioner has got no criminal antecedents and is in custody since 01.03.2021 and charge-sheet has been submitted in the matter.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that he is not the owner of the motorcycle and he was sitting on the motorcycle as pillion rider, petitioner has got no criminal antecedents and is in custody since 01.03.2021 and charge-sheet has been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, CHANDESHWAR SAHANI be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, East Champaran, Motihari in connection with Adapur PS Case No. 52/2021.

(Anil Kumar Sinha, J)

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