

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38893 of 2021

Arising Out of PS. Case No.-161 Year-2019 Thana- MAHESHKHUNT District- Khagaria

BINESH KUMAR SAHNI @ BHULLA SAHNI S/o Suresh Sahni R/o
Malipur, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Md. Iftexhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2021 Heard Mr. Bijay Bhushan Prasad, learned counsel for
the petitioner and Mr. Md. Iftexhar Mahmood, learned counsel
appearing for the State through video conferencing.

Petitioner has renewed his prayer for bail in
connection with Maheshkhut P.S. Case No. 161 of 2019
registered under Section 30 (a) of the Bihar Prohibition and
Excise Amendment Act, 2018 inasmuch as earlier the bail
application of the petitioner was rejected by this Court with
liberty to renew his prayer after three months.

The allegation against the petitioner is that Police
recovered a total quantity of 866 liters of Indian Make Foreign
Liquor from the Pick Up Van which was standing by the road
side and on the basis of the Registration No., Police alleged that
the vehicle belonged to the petitioner.

Learned counsel for the petitioner submits that
petitioner is not the owner of the vehicle i.e. Pick Up Van from
where illicit liquor has been recovered and he is in custody



since 28.8.2020 and the charge sheet has already been submitted in this matter, there is no likelihood that petitioner will abscond or tamper with the evidence if released on bail.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 28.8.2020, charge sheet has already been submitted, there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail and this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Khagaria in connection with Maheshkhut P.S. Case No. 161 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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