

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40089 of 2021**

Arising Out of PS. Case No.-178 Year-2019 Thana- MAJORGANJ District- Sitamarhi

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MOHAN SAHNI S/o Ganesh Sahni Resident of Village- Janki Nagar, P.S.-
Majorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 14-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Majorganj P.S. Case No. 178 of 2019, registered for the
offence punishable under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The allegation is regarding recovery of 100.500 liters of
illicit liquor from a car.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 18.2.2021.
The learned counsel for the petitioner has further submitted
by referring to paragraph No. 8 of the present petition that the



car in question does not belong to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the car from which the illicit liquor has been recovered and moreover he is in custody since 18.2.2021, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Majorganj P.S. Case No. 178 of 2019.

(Mohit Kumar Shah, J)

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