

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43066 of 2021**

Arising Out of PS. Case No.-82 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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MUNESHWAR SAHNI @ BHUNESHWAR SAHNI SON OF CHARITRA
SAHNI R/O VILLAGE- RASALPUR, WARD NO.-5, P.S.- BAJPATTI,
DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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

2 15-12-2021 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
G.O. Case No. 82 of 2021 for the offence registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 81 litres of
illicit Nepali Soufi wine from a motorcycle, on which the
petitioner was found sitting on the back seat.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 02.05.2021. The learned counsel for the
petitioner has further submitted by referring to paragraph no. 6



of the present petition that the petitioner is not the owner of the motorcycle in question.

Per contra, the learned counsel 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 period of incarceration of the petitioner herein as also the fact that the petitioner is not the owner of the motorcycle in question, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Additional District Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with G.O. Case No. 82 of 2021.

(Mohit Kumar Shah, J)

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