

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47306 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

1. SAJAN PASWAN Son of Late Hira Paswan Resident of Village - Sahwajpur Patwa, P.S.- Hajipur Sadar, Distt.- Vaishali.
2. Shambhu Sahni Son of Nanda Sahni @ Nanda Sahani Resident of Village - Ismailpur, P.S.- Hajipur Sadar, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Hajipur Sadar P.S. Case No. 66 of 2021, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 150 liters of illicit liquor from a river bank and the village chowkidar is stated to have taken name of 17 accused persons including the petitioners herein to be responsible for carrying the said illicit liquor.

The learned counsel for the petitioners has submitted



that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and they are languishing in custody since 21.3.2021. The learned counsel for the petitioners has further submitted that no illicit liquor has been recovered either from the conscious possession of the petitioners or from their house and in fact the illicit liquor has been recovered from open place situated near the river bank. It is also submitted that the village chowkidar has taken the name of those persons with whom he has inimical terms.

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 petitioners and taking into account the materials available on record as also considering the fact that no recovery has been made either from the conscious possession of the petitioners or from their house, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Additional Special Judge-II -cum-, Excise Court, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 66 of 2021.

(Mohit Kumar Shah, J)

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