

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38667 of 2020

Arising Out of PS. Case No.-491 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

Mukesh Sahni, Male, Aged about 32 years, Son of Late Naga Sahni Resident
of Village - Bairiya, P.S.- Sahebganj, District - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Ms.Vaishnavi Singh, Advocate
For the Opposite Party : Mr.Nirmal Kr. Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Sahebganj P.S. Case No. 491 of 2019, for the offence under
Sections 272, 273 and 414 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

In the instant case total 528.810 litres of foreign liquor
was seized and the said liquor kept in truck container.

Learned counsel appearing on behalf of the petitioner
submits that nothing was recovered from conscious possession
of this petitioner and the petitioner was not arrested on the spot
along with liquor. Neither petitioner is owner of the vehicle nor
is driver of the vehicle carrying liquor. Petitioner is in custody
since 17.08.2020.



Considering the fact that nothing was recovered from conscious possession of the petitioner, the Court is inclined to grant bail to him subject to the condition that the petitioner has to deposit Rs.50,000/- in cash. On depositing the amount of Rs.50,000/-, petitioner, above-named, shall be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of the Special Judge Excise, Muzaffarpur in connection with Sahebganj P.S. Case No. 491 of 2019.

Deposit of Rs.50,000/- (Rupees fifty thousand) shall abide by final outcome of Sahebganj P.S. Case No. 491 of 2019.

(Anil Kumar Upadhyay, J)

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