

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47275 of 2021

Arising Out of PS. Case No.-216 Year-2020 Thana- BACHHWARA District- Begusarai

DEV KUMAR SAHANI S/o RAM SWAROOP SAHANI R/o VILLAGE-SURO BANIYA TOLA, PS-BACHHWARA, DISTRICT- BEGUSARAI (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

The petitioner seeks regular bail in connection with Bachhwara P.S. Case No. 216 of 2020, registered for the offence punishable under Sections 30(a) & 30(d) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 75 liters of country made illicit liquor from Suroghat situated in an open area.

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 15.6.2021. The learned counsel for the petitioner has further submitted that no illicit liquor



has been recovered either from the conscious possession of the petitioner or from his house.

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 no illicit liquor has been recover either from the conscious possession of the petitioner or from his house, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Bachhwara P.S. Case No. 216 of 2020.

(Mohit Kumar Shah, J)

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