

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34777 of 2020

Arising Out of PS. Case No.-113 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

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MUKESH SAHNI, aged approx 32 years, Male, Son of Late Naga Sahni,
Resident of Village- Bairiya, P.S.- Sahebganj, Distt- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Udbhav, Advocate.

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 272, 273, 414 of the I.P.C. and 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 2100.390
liters wine is said to have been recovered from five different
vehicles.

It has been submitted by learned counsel for the
petitioner that the petitioner is in custody since 17.08.2020.
Charge sheet has been submitted in the present case. There is no



allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has come in the present case on the basis of disclosure made by local Chaukidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Total 2100.390 liters wine is said to have been recovered from one Truck, three Cars and one Pick-up Van. The petitioner had no knowledge regarding the alleged incident. The petitioner was not arrested on the spot. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur, in connection with Sahebganj P.S. Case No. 113 of 2020.

(Sudhir Singh, J)

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