

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37630 of 2020

Arising Out of PS. Case No.-153 Year-2020 Thana- HATHAURI District- Muzaffarpur

UMESH SAHANI S/o Vishundev Sahani, R/o Village- Baburvan, P.S.-
Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma, Adv.

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-02-2021 Heard both sides.

Petitioner seeks bail in Hathauri P.S. Case No.153 of 2020 registered under Sections 272 and 273 of the IPC and under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant (S.I. of Hathauri P.S.) after having received secret information about the transportation of liquor on a truck went on road to intercept the truck. The informant further alleged that after seeing the police, five persons, namely, Rajeev Sahani, Mukesh Sahani, Ajay Rai, Bhushan Rai and Nawal Kishore Rai, who were identified by the Chaukidar, managed to flee away but the petitioner, namely, Umesh Sahani was apprehended while he was sitting on the top of the truck bearing registration no.UK07CB-0091. On search, more than 1200 litres of liquor of different brands was recovered from the



truck.

Learned counsel for the petitioner submits that the petitioner is a labourer and he was asked to sit on the truck only to unload the goods but it appears that the petitioner was found sitting on the top of the truck and from the same truck, more than 1200 litres of liquor was recovered.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within four months from the date of receipt of this order. If the trial is not concluded within four months, the petitioner may renew his prayer for bail.

The Superintendent of Police, Muzaffarpur is directed to ensure the attendance of prosecution witnesses in the court so that the trial must be concluded within four months.

Let a copy of this order be sent to the trial court as well as the Superintendent of Police, Muzaffarpur for information and needful.

(Prabhat Kumar Jha, J)

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