

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39215 of 2020**

Arising Out of PS. Case No.-400 Year-2018 Thana- SAKRA District- Muzaffarpur

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Mahesh Sahni, Son Of Late Sita Sahni, Resident Of Village- Dedaul Sahni  
Tola, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mahendra Thakur- Advocate

For the Opposite Party/s : Mr. A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      01-06-2021                      Heard Mr. Mahendra Thakur, learned advocate  
  
for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Sakra P. S. Case No.400 of 2018,  
instituted for the offence under Sections 272 and 273 of the  
I.P.C. and Section 30(a) of the Bihar Prohibition and Excise  
Act, 2016.

According to the information received by the  
police, one Janak Mahto was reported to be indulging in  
sale and purchase of liquor in an unauthorized manner.  
Upon this information, a raid was conducted and 153 litres  
of liquor is said to have been recovered from the house of  
the petitioner.



Learned counsel for the petitioner has submitted that no doubt, there has been a recovery of liquor from the house of the petitioner, but the house is not inhabited by him as he stays outside the State. Precisely for this reason, the doors of the house were not broken open nor does the seizure list contain the signature of any one of the relatives of the petitioners or inmates of the house. He has submitted that the petitioner had no idea that he has been made accused in this case. It is, therefore, urged on behalf of the petitioner that the house of the petitioner, in his absence, may have been used by aforesaid Janak Mahto. Janak Mahto and two others, who have been named in the first information report, have been granted anticipatory bail by a Bench of this Court in Cr. Misc. No.12810 of 2019 on 30.04.2019. The petitioner does not have any criminal antecedents.

Considering the afore-stated facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of eight weeks from the date of receipt/ production of a copy of this order, on furnishing



bail bonds of Rs.10,000/- (Rs. Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Sakra P. S. Case No.400 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

**(Ashutosh Kumar, J)**

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