

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40094 of 2020

Arising Out of PS. Case No.-516 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

RAGHUNATH SAHNI son of Late Laxman Sahni Resident of Village-
Sikandarpur, P.S. Town, District- Muzaffarpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Muzaffarpur Town Police Station Case No. 516 of 2020,
registered for the offence punishable under Sections 272/273/34
of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the police intercepted one Luna motorcycle and one bicycle
and recovered a total quantity of 35 litres of illicit mahua liquor
from a bag hanging in the handle of the Luna motorcycle and 20
litres of illicit mahua liquor kept in a plastic jar on the carrier of
the bicycle.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as
the petitioner is the pillion rider on Luna motorcycle and he is



not the owner of the vehicle from where illicit mahua liquor has been recovered. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner and the recovery of illicit mahua liquor has allegedly been made from a plastic bag hanging in the handle of the Luna motorcycle. He next submits that the petitioner has got no criminal antecedent and he is in custody since 29.08.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is not the owner of the motorcycle in question and he is in custody since 29.08.2020 having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Muzaffarpur Town Police Station Case No. 516 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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