

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.730 of 2021

Arising Out of PS. Case No.-135 Year-2019 Thana- RAHIKA District- Madhubani

SHIVMANGAL SAHANI Son of Dukhan Sahani Resident of Village -
Baruraj Tole Chaukia, P.S.- Baruraj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma- Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-06-2021 Heard the learned Advocate for the petitioner and
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Rahika P. S. Case No.135 of 2019, instituted for the offences under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

693.870 litres of liquor is said to have been recovered from a pick-up van of which petitioner is the owner.

The learned counsel for the petitioner has submitted that he had let out his pick-van to be plied commercially with clear instructions that the vehicle ought not to be used for any unauthorized purpose.

It appears that the instruction of the petitioner has



been flouted blatantly.

The petitioner does not have criminal antecedents.

These grounds reflect that the no case under the Excise Act can be said to have been made out against the petitioner.

Considering the afore-stated facts, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Madhubani in connection with Rahika P. S. Case No.135 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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