

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4492 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- PATAHI District- East Champaran

1. Virendra Sahani S/o Bindeshwar Sahni R/o Village- Dewapur, P.S.- Patahi (Packpakri OP), District- East Champaran
2. Vikash Sahani S/o Akindra Sahni R/o Village- Dewapur, P.S.- Patahi (Pachpakri OP), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioners and learned APP for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Patahi (Pachpakri) P.S. Case no. 180 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, 1314 litres of Nepali liquor is stated to have been recovered in a plastic bag from a river. It is stated that the 5 accused persons including the two petitioners herein are the owner of the illicit liquor.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their person or possession. They have been falsely implicated in the case because of their antecedents. Referring to the order of the learned Court below it is submitted that while rejecting the prayer for bail of the petitioners, the learned Court



below refers to the antecedent of the petitioners which has been dealt with in paragraph no. 31 of the case diary. The petitioners are in custody since 30.9.2020, charge sheet has been submitted in the case and so far as the antecedents of the petitioners are concerned, they learnt about the same after having been made accused in the instant case.

The application for bail is opposed by learned APP for the State. .

Having heard learned counsel for the parties and taking into consideration the place of recovery together with the period in custody, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Patahi (Pachpakri) P.S. Case no. 180 of 2020 on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, East Champaran, Motihari.

(Partha Sarthy, J)

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