

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6738 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- SAHARGHAT District- Madhubani

RAM SANEHI SAH @ RAM SANDESHI SAH SON OF LAL BIHARI
SAH RESIDENT OF VILL.- UTTRA, P.S.- SAHARGHAT, DIST.-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Saharghat P.S. Case no. 109 of 2020 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information having been received, it is stated that a raid was conducted. Seeing the police personnel two accused persons including the petitioner herein attempted to escape but were caught. It is stated that 255 litres of illicit liquor was recovered from a tempo.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession and he has no concern with the seized liquor. His case stands on a similar footing to that of co-accused Chhote Nayak who has been enlarged on bail vide order dated 25.3.2021 passed in Cr. Misc. no. 4909 of 2021. He has no criminal antecedent and is in custody since 27.9.2020.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the period in custody and grant of bail to the similarly situated co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Saharghat P.S. Case no. 109 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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