

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3900 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

PANKAJ SAHNI Son of Shankar Sahni Resident of Village - Sanathi, P.s.-
Bochachan, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard Mr. Priyesh Kumar, learned counsel for the

petitioner and Mr. Awadhesh Kumar Singh, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Bochahan PS Case No. 309/2021 registered for the offence
punishable under Sections 272/273 of the IPC and Section 30(a)
of the Bihar Prohibition and Excise Act.

As per First Information Report, the police on the basis of
confidential information that some accused persons are
manufacturing illicit liquor near bank of Baghmati river
proceeded towards the place of occurrence and upon seeing the
police party, petitioner along with other accused persons tried to
flee away. However, one accused person, namely, Ravi Kumar
was arrested from the place of occurrence and 20 litres of illicit



liquor has been recovered along with 200 litres of fermented *Mahua* wine from the bank of river.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of disclosure of his name by arrested accused person, Ravi Kumar who has been granted bail by this Court today itself *vide* Cr. Misc. No.3550/2022. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him inasmuch the same has been recovered from an open space i.e., bank of Baghmata river which is accessible to all and sundry.

Learned counsel for the petitioner next submits the petitioner having no criminal antecedent is in custody since 22.11.2021 and there is no likelihood that the trial will be concluded in near future.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him, petitioner having no criminal antecedent is in custody since 22.11.2021 and there is no likelihood that the trial will be



concluded in near future and similarly situated accused person has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, named above, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Bochahan PS Case No. 309/2021.

(Anil Kumar Sinha, J)

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