

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8236 of 2022

Arising Out of PS. Case No.-658 Year-2021 Thana- KANTI District- Muzaffarpur

Shivjee Sahni Son of Late Matuki Sahni Resident of Village- Kalwari, P.O.-
Kalwari, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 273 and 120B of IPC
and Section 30(a) of the Bihar Prohibition and Excise Act, 2018
in connection with Kanti P.S. Case No. 658 of 2021.

As per allegation, recovery of 25 litres of illicit liquor
was made from the house of the petitioner.

Accused/petitioner is named in the FIR and in custody
since 12.11.2021.

Learned counsel for the petitioner submits that the
alleged recovery was not made from the conscious possession of
the petitioner and he has falsely been implicated in the present
case. He further submits that the petitioner is a man of clean
antecedents.



Learned APP appearing on behalf of the State, while opposing the prayer for bail conceded that nothing was recovered from the conscious possession of the petitioner.

Considering the facts and submissions as made above, recovery has not made from the conscious possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Kanti P.S. Case No. 658 of 2021 on furnishing bail bound of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise; Muzaffarpur, subject to the following condition:

(1) That the petitioner shall not be involved in the similar nature of case till conclusion of the trial and learned court below shall be at liberty to cancel the bail bond of the petitioner, if the involvement of the petitioner shall be found in the similar nature of case.

(2) That one of the bailors shall be the close relative of the accused petitioner like father / mother / daughter / son / sister / brother.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

