

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14266 of 2022**

Arising Out of PS. Case No.-520 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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ARVIND KUMAR SON OF PREM SAHNI @ PREM LAL SAHNI R/O
VILLAGE- KHALILPUR, P.S.- KARJA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual court proceeding.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Excise P.S. Case No. 520 of 2021 (P. R. No.
36/2021) registered for the alleged offences under Sections
30 (a) and 30(c) of the Bihar Prohibition and Excise Act.

The prosecution case is that the petitioner was
involved in manufacturing of illicit liquor and 4 liters of
illicit country made liquor and some articles for
manufacturing liquor were seized from river bank near the



house of this petitioner. Petitioner was apprehended from the spot.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and he has gone to bank of river to ease himself and all the recovery has been made from the bank of river. The petitioner has nothing to do with it. All the witnesses of the seizure list were police personnel and there is no independent witness. Moreover, only 4 liters of country made liquor was recovered. Prosecution report has been submitted in this case and the petitioner is in custody since 15.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the submissions made hereinabove and considering the quantity of liquor and articles recovered as well as the fact that prosecution report has been submitted and the petitioner is in custody since 15.12.2021, the petitioner above named is directed to 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 Court of Special Judge (Excise) Court No. II, Muzaffarpur in connection with Excise P.S. Case No. 520 of



2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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