

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14750 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- KATRA District- Muzaffarpur

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RAM SHRESTH SAHNI @ RAM SHIRISTH SAHANI Son of Late Suraj
Sahani Resident of Village- Chandauli, P.S. - Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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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 Katra P.S. Case No. 21 of 2022 registered for

the alleged offences under Sections 272, 273, 414 and 34 of

the Indian Penal Code and Section 30(a) of the Bihar

Prohibition and Excise Act, 2016.

Allegedly the petitioner and other co-accused

persons were apprehended with 40 liters of fermented

intoxicating *toddy*.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case as he has nothing to do with the co-accused or the motorcycle on which it is alleged the intoxicating liquor was being carried. No recovery has been made from the conscious possession of the petitioner. It is also not clear that whether the *toddy* liquor seized was spiked with chemicals to make it intoxicating. The other co-accused person Rajeev has been granted bail by a Coordinate Bench vide order passed in Cr. Misc. No. 13479 of 2022. Charge sheet has been submitted in this case and the petitioner is in custody since 18.01.2022.

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 nature and quantity of recovery made and further the considering the fact that the charge sheet has been submitted and co-accused has been granted bail by a Coordinate Bench, 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 Exclusive Special Excise Court No. 1, Muzaffarpur in connection with Katra P.S. Case No. 21



of 2022, 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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