IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18112 of 2022

Arising Out of PS. Case No.-17 Year-2021 Thana- KATRA District- Muzaffarpur

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ROHIT SAHANI @ ROHIT SAHNI S/o Late Gudri Sahani R/o village- Bathwara, P.S.- Katra, District- Muzaffarpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 15-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case 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 the prosecution case, on a raid being conducted it is stated that 156.24 litres of liquor was recovered from the bamboo orchard of one Ajay Jha. It is stated that four accused persons including the petitioner herein managed to escape.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has been falsely implicated in the case. Similarly situated co-

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accused have been enlarged on bail vide orders which have been brought on record as Annexure-2 series to this petition. The petitioner is in custody since 1.12.2021 and has no criminal antecedent under the Bihar Prohibition and Excise Act, 2016.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested at the spot and not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Katra P.S. Case no. 17 of 2021 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 Exclusive Special Excise Court no. 1, Muzaffarpur.

(Partha Sarthy, J)

Spd/-

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