

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21367 of 2022

Arising Out of PS. Case No.-425 Year-2020 Thana- MINAPUR District- Muzaffarpur

RAM BABU SAHANI Son of Late Devki Sahani Resident of Village -
Dharpur, P.S. - Meenapur, District - Muzaffarpur, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. A.L. Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Minapur PS Case No. 425 / 2020 registered under Section 272 /
273 / 414 / 420 / 34 of the IPC and Section 30 (a) of the Bihar
Prohibition and Excise (Amendment) Act 2018.

This is 2nd attempt for grant of bail on behalf of the
petitioner inasmuch as earlier the bail application of the
petitioner was rejected by this Court vide Cr. Misc. No. 29200 /
2021 granting liberty to the petitioner to renew his prayer for
bail after three months if the trial does not show any progress.

Allegation in nutshell is that Police on the basis of
secret information reached near Lord Hanuman Temple at
village Mahdaiya and seized one tractor and a total quantity of
396 liters of illicit foreign liquor was recovered from the same.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case by Police with oblique motive. He further submits that name of the petitioner has transpired in this case on the basis of confessional statement made by the driver of the tractor in question namely, Saroj Kumar. Learned counsel next submits that petitioner is neither the owner nor the driver of the tractor and no illicit liquor has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 06 / 02/ 2021 and charge sheet has already been submitted. He also submits that similarly situated co-accused / Saroj Kumar and Sunil Kumar Rai have been enlarged on bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 15230 / 2021 on 26-07-2021.

Regard being had to the submissions made by the parties, taking into consideration the material on record, the fact the petitioner is in custody since 06 / 02 / 2021 , charge sheet has already been submitted, there is no likelihood that petitioner will abscond or tamper with the evidence, similarly situated co-accused persons have been granted bail by this Court and this is 2nd attempt for bail on behalf of the petitioner, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 25000/-
(twenty five thousand) with two sureties of the like amount
each to the satisfaction of learned Special Judge (Excise) Court,
Muzaffarpur in connection with Minapur PS Case No. 425 /
2020.

(Anil Kumar Sinha, J)

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