

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36762 of 2021

Arising Out of PS. Case No.-697 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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BIRENDRA SAHANI @ VIRENDRA SAHNI Son of Hanuman Sahani
Resident of Village- Sikandrapur Kundal, P.S.- Town (Sikandarpur O.P.),
District- Muzaffarpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Nandan
For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Town (Sikandarpur O.P.) Police Station Case No. 697 of 2020,
registered for the offences punishable under Sections
272/273/34 of the Indian Penal Code and Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that a total quantity of 30 litres of illicit liquor was
allegedly recovered from an open filed situated on the backside
of the house of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has falsely been
implicated in this case with oblique motive. He further submits
that no illicit liquor has been recovered from the possession of



the petitioner and/or the premises belonging to him. He further submits that the petitioner is in custody since 17.03.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, charge sheet has already been submitted, no illicit liquor has been recovered from the possession of the petitioner, and the petitioner is in custody since 17.03.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, 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 Special Judge, Excise, Muzaffarpur, in connection with Town (Sikandarpur O.P.) Police Station Case No. 697 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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