

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36759 of 2021

Arising Out of PS. Case No.-433 Year-2018 Thana- MOTIPUR District- Muzaffarpur

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SOHAN SAHNI S/O RAGHUNATH SAHNI R/o village- Gehua Chak, P.S.-
Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Ms. Madhuri Lata

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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
Motipur Police Station Case No. 433 of 2018, registered for the
offences punishable under Sections 272/273 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 the police, on the basis of secret information,
raided the house of co-accused Sukhlal Bhagat and recovered a
total quantity of 324 litres of illicit liquor from the said house.
The name of the petitioner and other co-accused persons was
disclosed by co-accused Sukhlal Bhagat.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the basis of the disclosure made by the co-accused person, from whose house the illicit liquor was recovered. He further submits that co-accused Sukhlal Bhagat and Umesh Kumar Bhagat have been granted bail by co-ordinate Bench of this Court, vide order, dated 27.08.2018, passed in Criminal Misc. No. 52289 of 2018. He further submits that the petitioner has got no criminal antecedent and nothing has been recovered from his possession. He further submits that the petitioner is in custody since 18.03.2021 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 conscious possession of the petitioner, similarly situated co-accused persons have been granted bail by this Court and the petitioner is in custody since 18.03.2021, 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 Motipur Police Station Case No. 433 of 2018.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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