

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42855 of 2021**

Arising Out of PS. Case No.-60 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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RAJU SAHNI SON OF MUSAFIR SAHNI R/O VILLAGE BRIDAWAN
MUSAHIRI BAZZAR, P.S.- TARIYANI, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-02-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State, Sri Ram Naresh Ray.

The petitioner seeks regular bail in connection with Excise Case No. 60/2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Amendment Excise Act, 2018.



The allegation is regarding recovery of 139.905 liters of illicit liquor from a bus and the petitioner is stated to be driver of the bus.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 24.2.2021. The learned counsel for the petitioner has further submitted that the possibility of the illicit liquor belonging to the passengers of the bus cannot be ruled out inasmuch as the petitioner is merely the driver of the bus in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the illicit liquor has been recovered from a bus of which the petitioner is stated to be the



driver, as such, the possibility of the illicit liquor belonging to the passengers cannot be ruled out and moreover, the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-2 Spl. (Excise), Gopalganj in connection with Excise Case No. 60/2021.

(Mohit Kumar Shah, J)

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