

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44089 of 2021

Arising Out of PS. Case No.-293 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

Binod Sahani @ Mauje Lal Sahani S/O Budhan Sahani R/O Village-
Hussepur, Naya Tola, P.S-Sahebganj, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2022 Heard.

The petitioner seeks regular bail in connection with Sahebganj P.S. Case No. 293 of 2021, registered for the offence punishable under sections 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 10 liters of country made Chulai liquor, 60 Kg. of Bhakhar Goti, 400 kg. of Kala mitha, 10 Kg. Polythene and one motorcycle from the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been



falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 15.6.2021. The learned counsel for the petitioner has further submitted that the house in question belongs to the petitioner and his family members who are in joint possession of the same, hence, the alleged recovery of various articles cannot be solely attributed to the petitioner. It is further submitted that no illicit liquor has been recovered from the conscious possession of the petitioner.

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 parties and taking into account the materials available on record as also considering the fact that the house in question from where the illicit articles/ illicit country made liquor has been recovered, belongs to the petitioner and his family members, who are in joint possession of the same, apart from the fact that



the petitioner is languishing in custody since a long time, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Special Judge Excise Act, Muzaffarpur in connection with Sahebganj P.S. Case No. 293 of 2021.

(Mohit Kumar Shah, J)

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