

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48441 of 2021

Arising Out of PS. Case No.-327 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

MAHENDRA SAHNI S/o LATE RAMBRIKSH SAHNI R/o VILLAGE-
JAMALABAD, PS- AHIYAPUR, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2022 Heard the learned counsel for the petitioner and

Ms. Meena Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Ahiyapur PS case no. 327 of 2020 instituted for the offences punishable under Sections 272, 273 of Indian Penal Code and Sections 30(a), 36 of Bihar Prohibition & Excise Act.

The allegation is regarding recovery of 108.840 liters of illicit liquor from a motorcycle standing in front of the thatched 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 15.03.2021. The learned counsel for the petitioner, by referring to paragraphs no. 6 & 7 of the present petition, has further submitted that he has got no concern either with the motorcycle in question or with the illicit liquor seized from the place of occurrence.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner is stated to be having no connection with the motorcycle in question, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since about 11 months, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special



Judge, Excise Act, Muzaffarpur in connection with
Ahiyapur PS case no. 327 of 2020.

(Mohit Kumar Shah, J)

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