

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57157 of 2021

Arising Out of PS. Case No.-197 Year-2021 Thana- BAKHARI District- Begusarai

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BABLOO SAHANI @ BABALU SAHANI S/O LATE FUSO SAHANI R/o
village- Goriyari Ward No. 17, P.S.- Bakhari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on secret information having been received a raid was conducted and 15 litres of country liquor was recovered from the gumti of the petitioner and the petitioner was taken into custody.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession and he has been falsely implicated in the case because of his antecedents. He is in custody since 13.7.2021 and investigation in the case has concluded.



A supplementary affidavit has been filed stating therein about the medical condition of the petitioner's wife who requires surgery.

The application for bail is opposed by learned APP for the State who submits that the petitioner has an antecedent under the Bihar Prohibition and Excise Act, 2016. So far as the medical documents with respect to the wife enclosed with the supplementary affidavit are concerned, the same are three years old.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having an antecedent under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail on completing 1 year in custody.

(Partha Sarthy, J)

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