

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51553 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- KATRA District- Muzaffarpur

KAMESHWAR SAHNI, Son of Late Kuldeep Sahni, Resident of Village-
Bathaul, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Katra PS case no. 44 of 2021 instituted for the offences punishable under Sections 30(a), 30(c), 32, 41(1) of Bihar Prohibition and Excise Act.

The allegation is regarding the informant along with his police force having conducted raid near the embankment of Boodhnad river, from where 20 liters of illicit countrymade liquor and 1200 liters solution of jaggery and water, apart from other utensils/ equipments used for manufacturing illicit liquor were recovered. It is further alleged that upon inquiry, it has transpired that the petitioner and other accused persons are having complicity in the alleged occurrence.



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 10.07.2021. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor any illicit liquor has either been recovered from his conscious possession or from his house, hence apparently, the petitioner has been made accused in the present case merely on suspicion.

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 neither any illicit liquor has been recovered from the conscious possession of the petitioner nor from his house apart from the fact that the petitioner has also not been arrested from the spot and is having a clean antecedent, 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, Muzaffarpur in connection with Katra PS case no. 44 of 2021.

(Mohit Kumar Shah, J)

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