

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46531 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- BIBHUTIPUR District- Samastipur

Braj Mohan Sahni @ Brij Mohan Sahni, Son of Late Ram Udgar Sahni R/V-
Bazidpur Bambaiya (Ward 10) P.S- Bibhutipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Bibhutipur P.S. Case No. 144 of 2022
registered for the alleged offences under Section 30 (a) of the
Bihar Prohibition and Excise Act.

Allegedly, 155.500 liters of Indian made foreign
liquor was recovered from a pickup van and the petitioner was
apprehended from the spot.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Nothing incriminating has been recovered from his



conscious possession. The petitioner has nothing to do with the recovered liquor. The petitioner is neither the owner nor the driver of the seized vehicle. The charge sheet has been submitted in this case and the petitioner is in custody since 10.04.2022. The petitioner is having clean antecedent.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner.

Having regard to the submissions made on behalf of the petitioner and considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No.1, Samastipur, in connection with Bibhutipur P.S. Case No. 144 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive



dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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