

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43215 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- MANJHI District- Saran

1. Sanjay Sahni @ Sanjay Kumar S/O Late Mahadev Sahni Resident Of Village- Kharauna Dih, P.S.- Kudhani, District- Muzaffarpur
2. Ravi Shankar Kumar @ Ravi Sahni S/O Sahdeo Sahni Resident Of Village- Kharauna Dih, P.S.- Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Alok Kumar Alok, Advocate

Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 27-09-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioners seek bail in connection with Manjhi P.S.
Case No. 248 of 2022 registered for the offence under Section
30(a)/32/36/41(i) of the Bihar Prohibition and Excise Act, 2022.

The accused/petitioners are named in the F.I.R. and are
in custody since 09.07.2022.

The allegation against the petitioners is to be engaged in
illegal trading/manufacturing of illicit liquor, where, there was
recovery of 128.250 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioners



submitted that recovery of alleged illicit liquor was made from jointly occupied car and as such it cannot be said that same was recovered from conscious physical possession of petitioners, who are men of clean antecedent and moreover, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears from conscious physical possession of petitioners coupled with the fact that charge-sheet has been submitted, let the both petitioners, above named, are directed to be released on bail in connection with Manjhi P.S. Case No. 248 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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