

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58872 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

Ravish Sahani @ Ravi Kumar S/O Mahesh Sahani R/O Village-Shekhpur
Dhab, P.S- Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Ahiyapur PS case no. 135 of 2020 instituted for the offences punishable under Sections 272, 273/34 of Indian Penal Code and Sections 30(a), 36 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 394.875 liters of illicit foreign liquor from a Tata Pick-up vehicle and the petitioner and other co-accused persons are stated to have fled away from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since



11.08.2021. The learned counsel for the petitioner has further submitted that only on account of his name having transpired in another case on account of the confessional statement made by the co-accused persons, the petitioner has been remanded in the present case, although there is no proof of the involvement of the petitioner in the present case. It is also submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the petitioner has been arrested from the spot nor the vehicle in question belongs to the petitioner.

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 the illicit liquor has been recovered from the conscious possession of the petitioner nor the vehicle in question belongs to the petitioner, as has been stated in paragraph no. 8 of the present petition, apart from the fact that the petitioner is stated to have been remanded in the present case after he was arrested in connection with one other case, 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. 135 of
2020.

(Mohit Kumar Shah, J)

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