

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60384 of 2021

Arising Out of PS. Case No.-164 Year-2021 Thana- BASOPATTI District- Madhubani

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RAMDAYAL SAHANI S/O KAMLESH SAHANI R/o village- Khauna, P.S.-
Basopatti, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2022 Heard.

The petitioner seeks regular bail in connection with Basopatti P.S. Case No. 164 of 2021, registered for the offence punishable under sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 315 liters of illicit Nepali wine from the house of one Khonama Sahni.

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 14.9.2021. The learned counsel for the petitioner has further submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that no illicit liquor has been recovered either from the conscious possession of the petitioner or from his house and in fact, the illicit liquor has been recovered from the house of one Khonama Sahni, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge, Excise Act,



Madhubani in connection with Basopatti P.S. Case
No. 164 of 2021..

(Mohit Kumar Shah, J)

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