

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50313 of 2022**

Arising Out of PS. Case No.-114 Year-2021 Thana- BIBHUTIPUR District- Samastipur

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TRIVENI SAHNI @ TRIVENI KUMAR S/o Mahendra Sahni R/o village-
Desri Karrakh, Ward No. 11 Tola- Banauli, P.S.- Bibhutipur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

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

The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 114 of 2021 registered for the offence
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in



custody since 20.07.2022.

The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there was recovery of 193.200 litres of illicit Beer.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is the owner of the alleged car, from where recovery of illicit liquor was made. It is submitted that as signature of petitioner is missing from seizure list, is evident of the fact that alleged recovery was not made from the conscious physical possession. While concluding the argument, it is submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was not made from the conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bibhutipur P.S. Case No. 114 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special



Excise Court No. 1, Samastipur/concerned court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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