

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62179 of 2021

Arising Out of PS. Case No.-152 Year-2021 Thana- DHANAHA District- West Champaran

UMESH SAHANI Son of Ramjanm Sahani Resident of Village - Semuapur,
Badharwa Khurd, P.s.- Dumariyaghat, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022

Heard.

The petitioner seeks regular bail in connection with Dhanaha P.S. Case No. 152 of 2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The allegation is regarding recovery of 73.14 liters of illicit liquor from a car in which the petitioner and the other co-accused person namely Shatrudhan Yadav were sitting.

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 04.09.2021. The learned counsel for the petitioner has referred to paragraph No. 12 of the



present petition to submit that neither the car nor the illicit liquor belongs to the petitioner.

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 the petitioner has categorically stated in the present petition that the car in question does not belong to the petitioner, apart from the fact that the petitioner is languishing in custody since about 7 months, 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- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Special Judge, Excise, Bettiah, West Champaran, in connection with Dhanha P.S. Case No. 152 of 2021.

(Mohit Kumar Shah, J)

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