

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62809 of 2021**

Arising Out of PS. Case No.-264 Year-2021 Thana- GAIGHAT District- Muzaffarpur

Shankar Sahani Son of Late Mahadev Sahni R/o Village - Mahuara, P.S.-
Gaighat, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Gaighat Benibad (O.P.) P.S. Case No. 264 of 2021 instituted for the offences under Sections 272, 273, 414 and 34 of the Indian Penal Code read with Sections 30(a), 36 and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner is in custody since 07.08.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of 33 litres of liquor from the place of occurrence where the petitioner was arrested.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, he was a mere passer-by when police was making search at the place of occurrence and he came to be arrested based on suspicion.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 07.08.2021, charge-sheet has been submitted in the case, the petitioner is a person with clean antecedent and alleged recovery of liquor is 33 litres, let the petitioner above named be released on bail on furnishing bail bond of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Gaighat Benibad (O.P.) P.S. Case No. 264 of 2021.

(Satyavrat Verma, J)

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