

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62542 of 2021**

Arising Out of PS. Case No.-322 Year-2020 Thana- KARJA District- Muzaffarpur

Umesh Sahani Son of Late Sakaldev Sahani Resident of Village- Barkagaon
Utri, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

3 18-02-2022 Heard learned counsel for the petitioner and Dr.

Kumar Uday Pratap, learned A.P.P. for the State through virtual

court proceedings.

The petitioner seeks bail in connection with Karja P.S.
Case No. 322 of 2020 instituted for the offences under Sections
272, 273 and 34 of the Indian Penal Code read with Section
30(a) of the Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 13.09.2021, charge-sheet has been
submitted in the case and has antecedent of four cases as
mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that
allegation is of recovery of 714.355 litres of liquor from the
houses of different co-accused persons, out of which 169 litres
is alleged to have been recovered from the house of the



petitioner.

Learned counsel for the petitioner submits that the house is a joint family property and as such the petitioner was not aware who had kept the liquor in the house and based on his antecedents, he came to be implicated falsely by the police.

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 13.09.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Karja P.S. Case No. 322 of 2020 with a condition that one of the bailor shall be the father-in-law of the petitioner (Ramanand Sahani).

At this stage, the learned counsel for the petitioner submits that he has filed a supplementary affidavit rectifying the pleadings made in the bail application including the affidavit.

(Satyavrat Verma, J)

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