

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63703 of 2021**

Arising Out of PS. Case No.-629 Year-2019 Thana- MINAPUR District- Muzaffarpur

Ram Babu Sahni, S/o Late Devki Sahni R/o village- Dharpur, P.S.- Meenapur,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Punam Shrivastava, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Meenapur P.S. Case No. 629 of 2019, registered for the alleged offences under Sections 272, 273, 420, 120 (B), 414 of the Indian Penal Code and Sections 30 (a) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total 2157.12 liters of India made foreign liquor was recovered from two trucks and some pick up vans near Bagmati River and the co-accused Arun Kumar was apprehended from the spot, who disclosed the name



of the petitioner along with other co-accused persons, who were involved in bringing this liquor and doing the business of illicit liquor.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not arrested from the spot and except for the confessional statement of co-accused, there is nothing against this petitioner. The petitioner has been named in this case due to village politics and he has also been falsely implicated in other cases as well. The charge sheet has been submitted and the petitioner is in custody since 06.09.2021.

Learned APP opposes the prayer for bail submitting that huge quantity of liquor has been recovered and the petitioner is stated to be involved in the trade of illicit liquor. The petitioner has got criminal antecedent and is accused in other such cases.

Having regard to the submissions made hereinabove and considering the fact that the charge sheet has been submitted in this case and the petitioner is in custody since 06.09.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Meenapur (Muzaffarpur) P.S. Case No. 629 of 2019 subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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