

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65367 of 2021**

Arising Out of PS. Case No.-205 Year-2021 Thana- DURAULI District- Siwan

Rajesh Sahni @ Rajesh Mallah Son of Late Nageshwar Sahni @ Naga Mallah
Resident of Village- Majwaniya, P.S.- Darauli, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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

2 11-02-2022 Heard learned counsel for the petitioner and Shri Chandra Bhushan Prasad, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Darauli P.S. Case No. 205 of 2021 instituted for the offences under Sections 30(a) and 41(i) of the Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is in custody since 06.09.2021, 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 118.500 litres of country-made liquor from a sack tied with motorcycle.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, he is



not the owner of the motorcycle, the motorcycle was parked and the petitioner was a mere passer-by and came to be implicated.

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 06.09.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Siwan in connection with Darauli P.S. Case No. 205 of 2021.

(Satyavrat Verma, J)

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