

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56950 of 2022

Arising Out of PS. Case No.-246 Year-2022 Thana- SARAI RANJAN District- Samastipur

Ramavatar Sahni Son of Late Bijan Sahni Resident of Village- Raipur Buzurg
Ward No.- 16, P.S.- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the State : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Sarairanjan P.S. Case No. 246 of 2022 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 03.09.2022.

The allegation against the petitioner is to have in
possession of 5 liters of IMFL.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been falsely implicated in the
present case and the alleged back, from where the recovery of
illicit liquor was made, is not connected, in any manner, with the



petitioner, which suggests that recovery of illicit liquor was not made from the conscious physical possession of the petitioner. While concluding the argument, it is, categorically, submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sarairanjan P.S. Case No. 246 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-2, Samastipur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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