

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69500 of 2021

Arising Out of PS. Case No.-333 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

ARJUN SAHNI S/o Late Mahavir Sahni R/o- Village - Dharupatti, P.S. -
Aouraie, Dist. - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bochahan P.S. Case No. 333 of 2019, registered for the offence punishable under Sections 272/273/120-B of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding the police having received secret information that the accused persons are going to unload consignment of illicit liquor to be brought by two trucks whereupon the police force had reached the alleged place of



occurrence and intercepted two trucks, however, some of the miscreants had managed to flee away while the drivers of the said two trucks and owner of one motorcycle parked there were arrested. It is further alleged that upon search having been made, 1900.800 liters of illicit foreign liquor was recovered from the said two trucks. It is further alleged that upon examining the registration papers of the trucks in question, it transpired that the owners of the said two trucks are Jagdish and Shailendra Singh. It has also been alleged that as far as the petitioner is concerned, he is stated to be having complicity in the alleged occurrence inasmuch as he along with other co-accused persons was engaged in the illicit liquor trade.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 24.8.2021. The learned counsel for the petitioner has further submitted that since the petitioner is having a



bad antecedent, he has been falsely implicated in the present case although admittedly, neither the petitioner is having any concern with the trucks in question nor with the illicit liquor seized by the police. Lastly, it is submitted that the petitioner has not been arrested from the spot and merely on suspicion, he has been falsely implicated in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the illicit liquor nor the trucks in question belongs to the petitioner, apart from the fact that the petitioner has been implicated in the present case merely on suspicion, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is



directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-Excise, Muzaffarpur, Bihar in connection with Bochahan P.S. Case No. 333 of 2019.

(Mohit Kumar Shah, J)

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