

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70227 of 2021**

Arising Out of PS. Case No.-343 Year-2021 Thana- VAISHALI District- Vaishali

RAM BABU @ RAM BABU SAHNI S/o Meghu Sahni @ Megh Nath Sahni
R/o village- Bhikhanpura, P.S.- Paru, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Vaishali P.S. Case No. 343 of 2021, registered for the offence punishable under Sections 30(a) and 40(i) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 349.920 liters of illicit Indian made foreign liquor after the police had apprehended three vehicles and search was made. It is also alleged that the petitioner was apprehended when he was trying



to flee away, upon chase by the police personnel.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 8.9.2021. The learned counsel for the petitioner has further submitted by referring to paragraph no. 7 of the present petition that the petitioner is not the owner of any of the vehicles in question and moreover, he has not been arrested from the car.

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 none of the vehicles from which illicit liquor has been recovered belongs to the petitioner, apart from the fact that he is having a clean antecedent, 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 Additional Sessions Judge-II, Excise Court, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 343 of 2021.

(Mohit Kumar Shah, J)

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