

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70678 of 2021

Arising Out of PS. Case No.-217 Year-2021 Thana- BENIPATTI District- Madhubani

RAKESH SAHANI SON OF SHIVAN SAHANI RESIDENT OF VILLAGE
- MADHOPUR , P.S.- BENPATTI , DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuvan Narayan, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-06-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 120B 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 of 1551.375 litres of liquor was recovered from different vehicles, the details of which have been given in the FIR.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Although his name transpires amongst the 16 accused persons in the FIR, neither any incriminating article has been recovered from his possession nor he has any concern with the seized article or any of the vehicle from which it was allegedly seized.



He is in custody since 1.10.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having any concern with the vehicle in question, his having remained in custody for 8 months, not having any criminal antecedent and investigation in the case having concluded, the petitioner is directed to be enlarged on bail in connection with Benipatti P.S. Case no. 217 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge II-cum-Special Judge (Excise), Madhubani.

(Partha Sarthy, J)

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