

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64530 of 2022**

Arising Out of PS. Case No.-131 Year-2022 Thana- MADHWAPUR District- Madhubani

Pramod Sahni Son of Ramsevak Sahni R/O Village- Fajila, Post- Tarsarai,  
P.S.- Bhalpatti, O.P., District- Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate  
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      09-12-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned APP appearing on behalf of the State  
  
through virtual Court proceedings.

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

The petitioner seeks bail in connection with  
Madhwapur P.S. Case No. 131 of 2022 registered for the offence  
under Sections 272, 273, 414 and 34 of the Indian Penal Code  
and Section 30(a) of the Bihar Prohibition and Excise  
(Amendment) Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 16.09.2022.

The allegation against the petitioner is to be involved  
in illegal trading of illicit liquor, where 1485 liters of Nepali



liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was implicated in the present case only for the reason that he is the owner of the alleged pick-up van from where the recovery of illicit liquor was made and, admittedly, recovery of illicit liquor was not made from the conscious physical possession of the petitioner. It is further submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, 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 conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Madhwapur P.S. Case No. 131 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

Ankit/-

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