

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8758 of 2023

Arising Out of PS. Case No.-207 Year-2022 Thana- CHACKMEHSI District- Samastipur

NAND KISHOR SAHNI Son of Late Fulchand Sahni Resident of Village-
Raini, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 32(ii), 41(i)(ii) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of total 3133.08 liters of illicit foreign liquor from two different vehicles and the petitioner is said to be driver of one of the seized vehicles bearing Registration no. WB19G-8502.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner is said to be only driver of on of the seized vehicles but he has no concern with the alleged recovery of illicit liquor.



No any incriminating article has been recovered from his conscious possession. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 28.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is apprehended on spot with the alleged recovery of illicit.

The petitioner is directed to deposit a sum of Rs 30,000/- (thirty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chakmehsi P.S. Case No. 207 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court-I, Samastipur.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 30,000/- (Rs. Thirty thousand) by the petitioner in the account



of the concerned District legal Service Authority (DLSA).

(Sunil Kumar Panwar, J)

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