

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12667 of 2023

Arising Out of PS. Case No.-262 Year-2022 Thana- KALUAHI District- Madhubani

Raj Kumar Sahani @ Raj Kumar Sahni S/O Heera Lal Sahni R/V- Haripur
Majrahi, P.S.- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of 72 liters of illicit liquor from a motorcycle bearing Registration No. BR32AD-9218 and the petitioner is said to be apprehend on spot with the seized vehicle.

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. A statement has been made in para-3 of the petition that the



petitioner has got no criminal antecedent. The petitioner is alleged to be owner of the said motorcycle but he has no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from his possession. The petitioner is languishing in judicial custody since 17.12.2022.

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 5,000/- (Five 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 Kaluahi P.S. Case No. 262 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 Court of Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs.



5,000/- (Rs. Five thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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