

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12165 of 2023

Arising Out of PS. Case No.-967 Year-2022 Thana- ALAMGANJ District- Patna

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BHOLA SAHANI Son of Late Laxmi Sahni Resident of Kedar Nath Ghat,
P.S.- Alamganj, District - Patna. At present a resident of Ram Babu Colony,
Gud Ki Mandi, P.S.- Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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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 section 414 of the Indian Penal Code and Section 30(a), 36 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 160 liters of illicit country made liquor from jute bag which was loaded on a stolen motorcycle which was being driven by co-accused Rajat Kumar who also disclosed the name of the petitioner.

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 has no concern with the alleged recovery of illicit



liquor or with the vehicle in question. Neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious possession rather his name came into light on the basis of disclosure made by apprehended co-accused Rajat Kumar who is already getting the privilege of bail granted by this Court vide order dated 17.4.2023 passed in Cr. Misc. No. 1340 of 2023. Moreover, the petitioner is languishing in judicial custody since 17.1.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

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 Alamganj P.S. Case No. 967 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 Exclusive Special Judge Excise, Patna City.

(Sunil Kumar Panwar, J)

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