

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15618 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- AANDAR District- Siwan

SANTOSH KUMAR SAHNI @ SANTOSH SAHNI @ SANTOSH KUMAR
Son of Radha Mohan Sahni R/V- Garar, P.S.- Aandar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-05-2023 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 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 117 liters illicit country made liquor from a motorcycle bearing Registration no. BR29AS-4808 and the petitioner is alleged to be fled away from the place of occurrence.

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



arrested on spot nor any incriminating article has been recovered from is conscious or constructive possession. It is further submitted that the seizure list witness are police officials not a single independent witness which violates the provision of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 18.1.2023.

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 Aandar P.S. Case No. 01 of 2023 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 Excise Court No.1, Siwan.

(Sunil Kumar Panwar, J)

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