

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25543 of 2023**

Arising Out of PS. Case No.-34 Year-2023 Thana- BENIPATTI District- Madhubani

RAJESH SAHANI SON OF LATE GANESH SAHANI RESIDENT OF  
VILLAGE- TRIMUHAN, WARD NO. 18, PS- KAMTAUL, DISTT-  
DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ugranath Mallik, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      15-05-2023                      1.                      Heard   learned   counsel   for   the  
  
petitioner and the learned APP for the State.

2.                      Petitioner seeks regular bail in connection  
with Benipatti P.S. Case No.34 of 2023 dated 18.02.2023  
registered for the offence(s) punishable under Section(s) 272,  
273 and 34 of the Indian Penal Code and Section(s) 30(a) of the  
Bihar Prohibition and Excise Act.

3.                      The main submissions advanced by the  
learned counsel for the petitioner are that the instant matter  
relates to the recovery of 87.84 litres of illicit liquor and the  
same is stated to have been recovered from a car and a  
motorcycle and the petitioner has been shown as being arrested  
from the said car, in fact the petitioner was present in the said



vehicle as a passenger having no knowledge of the alleged wine and he has fair and clean antecedent and the vehicle's driver managed to escape and petitioner has no concern with the recovery allegedly made from the motorcycle and he has been languishing in jail since 19.02.2023 and the alleged wine was not recovered from his conscious possession.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Benipatti P.S. Case No.34 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

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