

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68014 of 2022

Arising Out of PS. Case No.-493 Year-2022 Thana- KUDHNI District- Muzaffarpur

Vipat Sahni, aged about 29 years, (M), S/O Tapeswar Sahni R/O Village-
Charkoriya, P.S- Kudhni (Turki O.P), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Kudhani (Turki O.P.) P.S. Case No. 493 of 2022 registered for the offence punishable under Section 272, 273, 414, 34 of the Indian Penal Code (for brevity 'IPC') and Section 30(a) of the Bihar Prohibition and Excise Act.

From a *Tata* truck and a *magic* vehicle, there is alleged recovery of 600 (six hundred) litres of illicit liquor. The apprehended accused person namely, Ranjit Kumar, has stated the fact that seven (7) persons, including the petitioner are consignee of the illicit liquor.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case by inserting his name in the extracted confession of co-accused recorded in custody. There is no other material to suggest petitioner's involvement and he is in custody since 12.10.2022. Though, prosecution does not allege any recovery from him; or his presence at the place of recovery, it is submitted that investigation is complete.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, clean antecedents, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Court No. II, Muzaffarpur, in connection with Kudhani (Turki O.P.) P.S. Case No. 493 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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