

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71338 of 2022

Arising Out of PS. Case No.-495 Year-2022 Thana- KUDHNI District- Muzaffarpur

Achhelal Sahani @ Achhelal Sahni Son of Late Ram Sevak Sahani R/V-
Charkoriya, P.S- Kudhani (Turki O.P) Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-03-
2023

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Kudhani (Turki O.P.) P.S. Case No. 495 of 2022 registered for
the offences punishable under Sections 272, 273 and 414/34 of
the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act 2018.

As per the prosecution, the police personnel on secret
information recovered 200.740 litres of foreign liquor from the
alleged vehicle and this petitioner is alleged to have been
involved in illicit business of liquor trade.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has been falsely
implicated in this case due to enmity and village politics, the



petitioner was not arrested on the spot nor any recovery from his conscious possession or from his house was made and the petitioner had no concern with the alleged three vehicles from which recovery of 200.740 litres of foreign liquor was made and he was arrested from his house as his two sons are named in the FIR and merely for creating pressure, the police on suspicion, arrested this petitioner in connection with the alleged crime. Further submissions are that the petitioner has been shown being arrested near the place of occurrence but his signature is not present on the seizure list and he has been languishing in jail since 14.10.2022, having fair and clean antecedent and he is neither owner nor driver of the seized vehicles.

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

Considering the aforesaid facts and mainly the petitioner's fair and clean antecedent and also the fact that as per the FIR, the petitioner was not arrested at the spot rather he was arrested from his house and he is said to be father of the two co-accused persons, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above 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 concerned Court in connection with Kudhani
(Turki O.P.) P.S. Case No. 495 of 2022.

(Shailendra Singh, J)

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