

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72845 of 2022

Arising Out of PS. Case No.-1221 Year-2022 Thana- PHULWARISHARIF District- Patna

Manoj Sahani Son Of Gagan Dev Sahni @ Gyandev Sahani R/O Village-
Chintamanipur, P.S.- Vaishali, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Anand
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-07-2023 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 sections 419, 420, 467, 468, 471, 120B of the Indian Penal Code and sections 30(a), 31, 32(ii)(iii), 36, 41(i)(ii) of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of total 484 liters of illicit liquor from a Tata Zest Car bearing Registration No. JH05-BH-7155 and the petitioner, who is driver of the aforesaid vehicle, is said to be apprehend on spot with the seized vehicle.

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. He



has got no criminal antecedent. Petitioner is only driver of the vehicle but he has no concern with the alleged recovery of illicit liqupr. No any incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 8.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is apprehended on spot with the alleged recovery of illicit.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Phulwarisharif P.S. Case No. 1221 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 Special Excise Judge, Patna Sadar, District- Patna.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs.



10,000/- (Rs. Ten thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

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