

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9943 of 2024

Arising Out of PS. Case No.-1199 Year-2023 Thana- ALAMGANJ District- Patna

VIJAY SAHNI @ VIJAY KUMAR SAHNI @ KHUTTA Son of Ramswarup
Sahni Resident of Mohalla-Patel Colony Sandalpur, P.S.-Alamganj, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakib Ayaz, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 2 20-02-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 1199 of 2023 instituted for the offences
punishable under Sections 30(a), 36 of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 100 litres
of country-made *mahua* liquor was recovered from the plastic
bag kept in front of the house of the petitioner.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the alleged recovery of liquor as the recovery has been made from an open place. The petitioner is in custody since 31.12.2023 and has five criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Alamganj P.S. Case No. 1199 of 2023.

(Rudra Prakash Mishra, J)

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