

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9844 of 2024

Arising Out of PS. Case No.-1729 Year-2023 Thana- Excise P.S. District- Patna

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Umesh Sahni @ Umesh Shni S/O Ramchandra Sahni @ Raj Kumar Sahni
R/O Mohalla- Ashok Nagar, Road No. 14, Ps. Kankarbagh, Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Excise(Prohibition) P.S Case No. 1729 of 2023
registered for the offences punishable under Sections
30(a)/56(b) of the Bihar Prohibition and Excise Act-
2016 and Amended Act-2022

3. As per allegation in the FIR, toal 563.400
litre of illicit liquor was recovered from vehicle.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that recovery of alleged illicit liquor



was not made from physical possession of the petitioner rather the same was recovered from Scorpio car and he has no concern with the said recovery. Learned counsel next submits that in similarly situated condition on of the co-accused has been granted bail by the Co-ordinate Bench of this Court *vide* order dated 13.02.2024 passed in Cr. Misc. No. 8229 of 2024. It is also submitted that petitioner is in judicial custody since 24.11.2023. Petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise – 3rd ,



Patna in connection with Excise(Prohibition) P.S Case
No. 1729 of 2023.

7. However, the trial court is directed to
conclude the proceeding of framing of charge according
to law within a period of 15 (fifteen) days from the date
of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

Mayank/-

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