

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14513 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- Excise P.S. District- Vaishali

Deepak Sahni, Gender-Male, aged about 29 years, Son of Shivchandra Sahni,
Resident of Village- Birna Lakhansen, Police Station- Mahua, in the District
of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

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

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

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahua
Excise PS Case No. 14 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and the
Excise Act.

3. As per the prosecution case, 14.500, liters foreign
liquor and country made liquor have been recovered from
behind the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He further submits that the
place of occurrence is open place and joint family land and the



petitioner has no concern with the alleged recovery. Neither the petitioner was found on the place of occurrence nor the alleged recovery is from his conscious possession.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order dated 23.01.2024, it appears that the alleged recovery is not from the possession of the petitioner but from behind the house of the petitioner. Petitioner is in custody since 18.01.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Mahua Excise PS Case No. 14 of 2024.

7. 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. However, it is made clear that ***if the charge-sheet has not been submitted*** then the petitioner shall be released on bail on above conditions and he shall be present physically on



each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

