

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15525 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- PUSA District- Samastipur

Sanjay Kumar Sahni @ Sanjay Sahni @ Sanjay Kumar Son Of Ram Chandra Chaudhary @ Ramchandra Sahni @ Ramchandr Chaudhary R/O-Ward No. 11, Mali Kaur, Malah Tola, P.S.-Pusa, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Pusa P.S. Case No. 140 of 2023, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 652.68 liters liquor was recovered from *bathan* of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the place of occurrence is an open place which is accessible to



everyone. The petitioner is in custody since 19.01.2024 and has got two criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pusa P.S. Case No. 140 of 2023.

(Rudra Prakash Mishra, J)

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