

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18461 of 2024

Arising Out of PS. Case No.-247 Year-2023 Thana- TARAIYA District- Saran

=====

Akhilesh Kumar Sahni @ Akhilesh Sahni Son of Rameshwar Sahni R/o Vill.-
Masharak South Tola, P.S.- Masharak, dist.- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

=====

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Taraiya P.S. Case No.
247 of 2023, instituted for the offences punishable under
Sections 272, 273 of the Indian Penal Code and Sections 30(a),
32(1)(2)(3), 33, 38 and 41(2) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 300 liters
spirit was recovered from tempo.

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 spirit. It is further submitted that name of the petitioner has been transpired from the confessional statement of co-accused Ajay Kumar Manjhi. The petitioner is in custody since 20.12.2023 and has got one criminal antecedent in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 22.09.2023 passed in Cr. Misc. No. 60847 of 2023. 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 Taraiya P.S. Case No. 247 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

