

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26372 of 2024**

Arising Out of PS. Case No.-239 Year-2023 Thana- BENIPATTI District- Madhubani

Naval Sahani Son of Sushil Sahni Resident of Village- Benipatti Beheta, P.S.-  
Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Surendra Prasad Singh

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

ORAL ORDER

2      05-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Bennipatti P.S. Case No. 239 of 2023 instituted for the offences  
punishable under Sections 272, 273, 34 of the Indian Penal  
Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 945 litres  
liquor was recovered from a pickup van.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case merely  
on the basis of disclosure of local people. The petitioner has not  
been apprehended on the spot. No incriminating article has been  
recovered from the conscious possession of the petitioner.



Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 19.01.2024, and has two 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 Bennipatti P.S. Case No. 239 of 2023.

**(Rudra Prakash Mishra, J)**

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