

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30605 of 2024

Arising Out of PS. Case No.-166 Year-2017 Thana- MAKER District- Saran

Uma Sahni Son of Sudarshan Sahni Resident of Village - Baligaon, P.S. - Parsa, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Maker P.S. Case No. 166 of 2017, instituted for the offences punishable under Sections 188, 272, 273, 308, 34 of the Indian Penal Code, Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 40 liters liquor was recovered from the bank of Gandak river.

4. Learned counsel for the petitioner submits that the petitioner is innocent and 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 submitted that name of the petitioner has transpired on the basis of secret



information received by the police. The petitioner is in custody since 05.02.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that earlier the petitioner has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 04.04.20218 passed in Cr. Misc. No. 19159 of 2018 but the petitioner did not surrender within the stipulated period and later on the petitioner has been arrested by the police. 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 Maker P.S. Case No. 166 of 2017.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

