

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68515 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- ROSERA District- Samastipur

Kamlesh Sahni Son of Late Ramprit Sahni R/O Village - Muradpur
Jamaiyatol, Muradpur, Police Station- Rosera District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Nand Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rosera
P.S. Case No. 164 of 2024 registered for the offence punishable
under Section-30(a) of the Bihar Prohibition and Excise
(Amendment) Act.

3. As per allegation, 14 litres illicit liquor kept in a
plastic sack was recovered from house of the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and he has falsely been implicated
in this case. It has further been submitted that as a matter of fact,
the recovery has been made from an open place which can be
accessed by any one but due to enmity and village politics, the



petitioner has been implicated in the present case in a planted way. The petitioner is under custody since 17-07-2024.

5. Learned APP has opposed the prayer for bail by submitting that the petitioner has got criminal antecedent of three case of similar nature and as such, he is habitual offender.

6. Considering the aforesaid facts and circumstances, presently I am not inclined to grant bail to the petitioner and accordingly, the same is rejected.

7. However, the petitioner may renew his prayer for bail after three months from today before the court below itself. The court below will consider the prayer for bail of the petitioner on its own merit without being prejudiced by this order.

(Nawneet Kumar Pandey, J)

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