

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71597 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- MAHINDWARA District- Sitamarhi

Ramnath Sahni, aged about 32 years, male, Son of Ramsakal Sahni, resident
of Village- Shahpur Ward No. 1, P.S. - Hathauri, District- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Mahindwara PS Case No.111 of 2024 dated 12.08.2024, instituted under Sections 30(a)(c) and 36 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. The allegation against the petitioner is of recovery of 60 litres illicit wine from the house of Tridev Sahni. The police apprehended three persons, namely, Tridev Sahni, Ram Prabodh Sahni and Dilip Sahni and they disclosed the name of the petitioner, who succeeded to flee away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Learned counsel further submits that neither petitioner was arrested from the spot nor anything was recovered from the house of the petitioner. The alleged recovery has been made from the house of Tridev Sahni. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Sitmarhi, in Mahindwara PS Case No.111 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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