

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84493 of 2023

Arising Out of PS. Case No.-444 Year-2023 Thana- Excise P.S. District- Samastipur

Kailash Sahni Son Of Late Gopi Sahni R/O Village- Ladaura, Ward No.-06,
P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a) of the
Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 57 liters of
illicit liquor from toilet tank behind the hut of this petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Nothing has been recovered
from the conscious possession of the petitioner and also he has
no concern with the seized liquor. A statement has been made in
para-3 of this petition that the petitioner has got no criminal
antecedent. There is no independent witness of the seizure list



rather they are police personnel. Moreover, the petitioner is languishing in judicial custody since 29.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6.Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise Sadar P.S. Case No. 444 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-II, Samastipur.

(Sunil Kumar Panwar, J)

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