

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10638 of 2025

Arising Out of PS. Case No.-444 Year-2020 Thana- TAJPUR District- Samastipur

Dev Kumar Sahni @ Jay Kumar Sahni, aged about 34 years (Male), Son of Bindeshwar Sahni @ Vindeshwari Sahni, R/O Vill.- Gunai Basahi @ Gunai Bashi, Ward No.- 1, P.S.- Tajpur, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate
For the Opposite Party : Mrs. Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Tajpur P.S. Case No. 444 of 2020 dated 29.11.2020 registered for the offences punishable under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per the prosecution case, total 400 litres of spirit, 375 Ml of foreign liquor and other articles for preparation of liquor are said to have been recovered from the house and courtyard of the petitioner and his brother-in-law Birendra Sahani.

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



present case. He was not arrested on the spot. No incriminating article has been recovered from his possession. He has no concern with the illicit liquor, spirit as well as other materials which were seized from the alleged place of occurrence. The said recovery was made from the joint abandoned open hut of the petitioner which is accessible for all. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 19.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No.-02, Samastipur in connection with Tajpur P.S. Case No. 444 of 2020.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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