

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88876 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- Excise Benipatti District- Madhubani

Murari Sahani @ Madan Murari Sahani S/o Yogendra Sahni @ Yogendra
Sahani R/o Village- Parsauni, P.S.- Patauna (Bisfi O.P.), District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. Altogether 675 liters of illicit liquor is said to have been recovered from two vehicles. One person was apprehended from the spot and he disclosed the name of the petitioner that has fled away.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. He no concern either with



the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired on the basis of statement made by the apprehended co-accused person. He is only driver of one of the said vehicle. Petitioner has one criminal antecedent in similar nature of offence as mentioned in para 3 of the bail application and has been languishing in jail since 14.11.2024

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Considering the facts and circumstances of this case and period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with G.O. No. 658 of 2024 arising out of Excise Benipatti P.S. Case No. 47 of 2024, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to



how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of regular bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Lawyers' Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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