

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9815 of 2017**

Arising Out of PS.Case No. -62 Year- 2016 Thana -DARPA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Arun Sahani s/o late Kanhaiya Sahani r/o vill Dumari P.S. Sugauli, Dist  
E. Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2    20-03-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since  
26.10.2016 in connection with Darpa P.S. Case No. 62 of 2016 for  
the offence instituted under Section 30(a) of the Bihar Excise  
(Amendment) Act, 2016.

The prosecution story, in brief, is that the police  
recovered 108 liters Tara Soufi Nepali country made liquor from a  
vehicle on which four persons including the petitioner were  
sitting.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 26.10.2016 and the charge sheet  
has been submitted in the present case. There is no allegation of  
tampering of the witnesses alleged against the petitioner. He has



got no criminal antecedent. It is alleged that 108 liters of Tara Soufi Nepali country made liquor is said to have been recovered from a vehicle in which four persons including the petitioner were sitting. No compliance of Section 100 Cr. P.C. has been followed in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari, East Champaran in connection with Darpa P.S. Case No. 62 of 2016.

**(Birendra Kumar, J)**

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