

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19375 of 2018

Arising Out of PS.Case No. -108 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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Gopal Sahani, Son of Late Bihari Sahani, resident of Village- Sukhlahiya,
P.S.- Darpa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Excise Case
No. 108 of 2018 for offences punishable under Section 30A of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the Excise Officials,
is that during course of patrolling, they found various persons
were crossing the Nepal Border carrying bags and seeing the
police personnel they fled away but the petitioner was
apprehended. From the two bags 72 liters of Nepali Saufi wine
was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and



nothing has been recovered from his conscious possession. He submits that the allegation is upon several persons who had thrown the bags and the petitioner is languishing in judicial custody since nearly two months and has been sufficiently punished.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 4th Additional Sessions Judge-cum-Special Judge, Excise at Motihari, East Champaran in connection with Excise Case No. 108 of 2018, subject to the condition that petitioner will co-operate in the investigation and provide all papers necessary during investigation and will not tamper with the evidence failing which, his bail bonds will be cancelled.

(Nilu Agrawal, J)

Devendra/-

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