

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21834 of 2019

Arising Out of P.S. Case No.-100 Year-2019 Thana- TURKAULIYA District- East
Champaran

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RAMPARVESH SAHANI, aged about 25 years, gender-Male, Son of Late
Shivnath Sahani Resident of Village - Raghunathpur, P.S.- Raghunathpur,
Distt - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 10-04-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Turkaulia
(Raghunathpur) P.S.Case No.100 of 2019 for the offence alleged
under Sections 30(a) and 30(c) of the Bihar Prohibition
Amendment and Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that on secret information the bike of the petitioner
was intercepted and while one person who was named by the
petitioner as Diplal Sahani managed to flee away, the petitioner
was apprehended with the bag containing 26.250 liters of illicit
foreign liquor. Accordingly, a seizure list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that the confessional statement of the petitioner before the police has no evidentiary value in the eye of law and he has been sufficiently punished as he is languishing in judicial custody since 18.02.2019.

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

Considering the nature of allegations, the period of custody and that the petitioner does not bear any criminal antecedent as stated in para-3 of the present allegation, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Turkaulia (Raghunathpur) P.S.Case No.100 of 2019 to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Excise Judge, East Champaran at Motihari.

(Nilu Agrawal, J)

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