

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71208 of 2019**

Arising Out of PS. Case No.-315 Year-2019 Thana- MOTIHARI MUFASIL District- East  
Champaran

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BYAS SAHANI @ JAI NARAYAN SAHANI S/o Babulal Sahani, R/o  
village- Mehwa, P.S.- Lakhaura, District- East Champaran ( Byas Sahani @  
Jai Narayan Sahani aged 35 years Mala S/o Babulal Sahani R/o village-  
Mehwa, P.S.- Sugauli, District- East Champaran)

... .. Petitioner/s

Versus

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.Syed Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      13-01-2020                      Heard the learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks regular bail in connection with  
Muffasil [Lakhaura] P.S. Case No. 315 of 2019 for the offence  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act, 2016.

The allegation is regarding recovery of 39 liters of  
illicit liquor from a motorcycle and the name of the petitioner is  
stated to have transpired in the present case, after the passers by  
had informed the police that the person who had fled away was  
the petitioner.

The learned counsel for the petitioner submits that the  
petitioner has been falsely implicated in the present case. It is  
further submitted that neither the motorcycle nor the illicit



liquor belongs to the petitioner and the petitioner has been roped in the present case on account of village rivalry. It is further submitted that though the petitioner is accused in one other case, but he is on bail in the said case. The petitioner is stated to be languishing in custody since 18.09.2019.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner coupled with the fact that no recovery has been made from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 9<sup>th</sup> Additional Sessions Judge cum Special Judge Excise, East Champaran, Motihari in connection with Muffasil [Lakhaura] P.S. Case No. 315 of 2019.

**(Mohit Kumar Shah, J)**

Tiwary/-

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