

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41379 of 2022

Arising Out of PS. Case No.-415 Year-2021 Thana- NAUTAN District- West Champaran

MOKODAR SAHANI S/o Ramdeo Sahani Resident of Village- Telhua, P.s.-
Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Nautan
P.S. Case No. 415 of 2021 registered for the offence under
Sections 272, 273, 328, 307, 304 and 120(B) of the Indian Penal
Code and Sections 30(a), 37(b), 33 and 34 of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 10.11.2021.

The allegation against the petitioner is to involve in
trading of spurious liquor, where 13 persons altogether died
after consuming it.



Learned counsel appearing on behalf of the petitioner submitted that no spurious liquor was recovered from the physical possession of the petitioner. It is also submitted that nothing surfaced during the course of investigation, which may suggest that petitioner was engaged in selling activities of spurious liquor. It is also submitted that the name of petitioner surfaced on the basis of suspicion raised by unknown villagers. It has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that no spurious liquor was recovered from the possession of the petitioner, as per seizure list.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation, which may suggest, *prima facie*, that petitioner was involved in business of spurious liquor coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nautan P.S. Case No. 415 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge,



Excise, Bettiah at West Champaran/concerned court, subject to
the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

