

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54856 of 2022

Arising Out of PS. Case No.-445 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Ashok Sahni Son of Asharfi Sahni R/V- Ramsabha Goshala, (Ranighat), P.S-
Sahayak (Katihar), Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 26-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Nagar (Sahayak) P.S. Case No. 445 of 2022 lodged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 400 liter
local *mahua desi* wine is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 08.08.2022 having
clean antecedent and charge sheet has already been filed in this
case. He also submits that the said recovery has not been made

from petitioner's possession rather, as per the seizure list, it was from public place. Learned counsel submits that petitioner was arrested by virtue of confessional statement of the co-accused.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Distt. & Sessions Judge – Cum - Special Judge Excise, Court-2, Katihar in connection with Nagar (Sahayak) P.S. Case No. 445 of 2022 (G.R. No. - 3613 of 2022), subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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