

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57349 of 2022

Arising Out of PS. Case No.-376 Year-2022 Thana- NAUTAN District- West Champaran

1. Rajeshwar Sahni @ Rajeshwar Sahani S/o Late Jaglal Sahni Resident of village- Ajgari, P.S.- Banjariya, District- East Champaran
2. Shyam Kishore Kumar S/o Late Yogendra Sahni Resident of village- Sarotar Bajar, P.S.- Dumariaghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Nautan P.S. Case No. 376 of 2022 lodged under Section 414 of
the I.P.C. read with Section 30(a) of Bihar Prohibition and
Excise Act.

As per the prosecution case, the total recovery of
156.900 litre foreign liquor has been made from the tempo and
the alleged motorcycle, which is the subject matter of the
present case.

Learned counsel for the petitioners submit that
petitioners are innocent and have committed no offence.

Learned counsel for the petitioners submit that antecedents of both the petitioners are clean and it has been categorically stated that petitioner no. 2 is the owner of the Hero Splendor Motorcycle and the other motorcycle owner is also well known to him. Counsel submits that most of the wine have been recovered from the tempo and petitioners have nothing to do in any manner with the said tempo. Counsel submits that petitioners are in custody since 12.07.2022 and charge sheet has already been filed in this case.

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 petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, West Champaran, Bettiah in connection with Nautan P.S. Case No. 376 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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