

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4638 of 2023

Arising Out of PS. Case No.-240 Year-2022 Thana- PIPRAHI District- Sheohar

TARACHAND SAH Son of Ramashish Sah Resident of Village- Mesaudha,
P.S.- Piprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv.
		Mr. Devendra Kumar, Adv.
For the Opposite Party/s	:	Mr. Nand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-04-2023 1. Heard learned senior counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Piprahi P.S. Case No. 240 of 2022 dated 25.09.2022 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
senior counsel are that the instant matter relates to the recovery
of 331.2 litres of *Nepali* liquor and as per the allegation seven
named persons including the petitioner along with two unknown
persons, were involved in the smuggling of the alleged liquor
but the petitioner was not apprehended at the spot of recovery of
the alleged liquor and his name was disclosed by local
Chawkidar of the village due to village politics and he has been

languishing in jail since 17.12.2022 and though, against him there are criminal antecedents of six cases but he is on bail in all the said cases. Further submission is that against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner was not apprehended at the spot of recovery of the alleged liquor and his name was revealed by local Chawkidar and against him, the investigation has been completed and also the fact that the recovery of the alleged liquor was made from an open place accessible to common people, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Piprahi P.S. Case No. 240 of 2022.

(Shailendra Singh, J)

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