

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4477 of 2023

Arising Out of PS. Case No.-492 Year-2022 Thana- KESARIA District- East Champaran

Lakhindra Sahani S/O Ganga Sahani Resident Of Village- Banparuwa, P.S.-
Dumariyaghat, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273, 341, 323, 307, 279, 332, 353, 34 of the Indian Penal Code and Section 30(a) Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner was apprehended on the spot along with a motorcycle bearing Reg. No. BR05AK-9306 and total 25 liters country made liquor was recovered from the alleged motorcycle.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case. The petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. It is further submitted that no any incriminating article has been recovered from his conscious possession. Moreover, The petitioner is languishing in judicial custody since 03.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner being driver of the alleged motorcycle is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kesariya P.S. Case No. 492 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, East Champaran, Motihari.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing the receipt of deposit of
Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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