

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18730 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Ramashankar Sahani @ Ram Shankar Sahani S/O Late Daroga Sahani R/O
Village- Ranipokhar Dumari (Ward No.8), P.S- Sarai, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 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 section 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 750 ml illicit
foreign liquor from possession of the petitioner and he is alleged
to be arrested on spot.

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.
Petitioner has no concern with the alleged recovery of illicit
liquor or with the place of occurrence. No any incriminating



article has been recovered from conscious or constructive possession of the petitioner. It is further submitted that the seizure list witness are police officials not a single independent witness which violates the provision of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 18.2.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner has got three criminal antecedents of similar nature.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the alleged recovery of liquor is meagre in quantity, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Excise P.S. Case No. 128 of 2023 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 2nd-cum-Additional District & Sessions Judge, Hajipur at Vaishali.

(Sunil Kumar Panwar, J)

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