

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26135 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- RAJEPUR District- East Champaran

GAMBHIR SAHANI, aged about 50 years (M), Son of Late Ganga Sahani
Resident of village-Hanuman Nagar, P.S.-Rajepur, District-East Champaran
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar Singh, Advocate
Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Rajepur P.S. Case No. 24 of 2023 dated 22.01.2023 registered
for the offence(s) punishable under Section(s) 272, 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 20 litres of country made liquor and the same is
stated to have been recovered from possession of this petitioner
and as per allegation, petitioner was smuggling the alleged
liquor on a motorcycle at the time of his arrest but the said
allegation is completely false, in fact the real culprit who was



carrying the alleged liquor managed to escape and the petitioner was made a scapegoat on suspicion and the alleged seized motorcycle belongs to the wife of the petitioner. Further submissions are that though against the petitioner, there are criminal antecedents of four cases but he has got bail in all the said cases and these cases belong to the same P.S. which shows that the petitioner is being implicated in the offences of excise act one after another and he has been languishing in jail since 23.01.2023 and against him, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of investigation against the petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the **petitioner named-above be enlarged on bail after framing of charge, if the same has not been framed** in connection with Rajepur P.S. Case No. 24 of 2023 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.

Sanjay/-

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(Shailendra Singh, J)

