

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29939 of 2023

Arising Out of PS. Case No.-731 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Chuman Sahni Son of Bahram Sahni @ Lal Babu Sahni R/O Village-
Manjhariya, P.S.- Turkauliya (Raghunathpur O.P.), District- East Champaran

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with

Turkauliya (Raghunath Pur) P.S. Case No. 731 of 2022

registered for the offence under Sections 272/273/34 of the

Indian Penal Code and Sections 30(a)/41(1) of Bihar Prohibition

Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in

custody since 28.02.2022.

The allegation against this petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there



was recovery of 70 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor appears to be made from an open place like bank of river. It is submitted that nothing incriminating appears during the course of investigation, which may connect petitioner with recovery of alleged illicit liquor. It is also submitted that as petitioner found involved in nine more criminal cases, his name surfaced in present case without having any connecting material out of suspicion arises from those criminal antecedents. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as alleged illicit liquor not appears to be recovered from conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.02.2022, accordingly the petitioner, above named, is directed to be released on bail in connection with Turkauliya (Raghunath Pur) P.S. Case No. 731



of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special, Excise Court No. 1, Civil Court, East Champaran at Motihari/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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