

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39085 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- BARARI District- Katihar

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KUNDAN SAHNI @ KUNDAN KUMAR SAHNI S/O LATE
JIWACHHLAL SAHANI R/O Village- Sisiya, PS. Barari, Dist. Katihar
(wrongly mentioned in the name of village as Rajapakhar in the F.I.R. in place
of Sisiya)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Barari P.S. Case No. 134 of

2023 dated 26.04.2023 registered for the offences punishable u/s

30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 136.875 litres of

foreign liquor was recovered beneath the *Bandh* in front of the

house of the petitioner.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 27.04.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Barari P.S. Case No. 134 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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