

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39172 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- SUGAULI District- East Champaran

BHOLA SAHANI Son of Late Ramadhar Sahani Resident of village -
Mehwa, P.S. - Sugauli, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar, APP

**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 Sugauli P.S. Case No. 47 of 2023 dated 30.01.2023 registered for the offences punishable u/ss 272, 273 and 414 of the Indian Penal Code and section 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 32 litres of illicit liquor was recovered from a motorcycle.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner was not apprehended on the spot. Local *chaukidar* disclosed the name of the petitioner. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got 8 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 18.04.2023.

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, Motihari, East Champaran in connection with Sugauli P.S. Case No. 47 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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