

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41776 of 2023

Arising Out of PS. Case No.-159 Year-2022 Thana- PURNAHYA District- Sheohar

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SURAJ SAHNI @ SHIVRAJ SAHNI S/O JIMDAR SAHNI R/O VILLAGE-
BELWA NARKATIYA, PS. PIPRAHI, DIST. SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 166.2 litres of
nepali wine kept in five sacks from Aduari jungle

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
place of occurrence. The name of the petitioner has been
disclosed in this case by the local chaukidar, which has got no
evidentiary value in the eye of law. Neither the petitioner was
arrested on spot nor any incriminating article has been



recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 24.4.2023 passed in Cr. Misc. No. 10356 of 2023. He is languishing in judicial custody since 22.4.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court, Sheohar in connection with Purnahiya P.S. Case No. 159 of 2022.

(Sunil Kumar Panwar, J)

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