

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42540 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Sunil Kumar @ Sunil Sahni Son of Lalan Sahni, Resident of village -
Hathiyahi, P.S. - Piprakothi, Distt. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Piprakothi P.S. Case No.18 of 2022, lodged on 19.01.2022 under
Sections 30(b) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total recovery of raw
material for preparation of 2000 liter desi wine has been made
near Dhanauti River at Village Hathiyahi.

4. Learned counsel for the petitioner submits that from
the seizure list it is apparent that the said recovery has not been
made from the possession of petitioner rather the said recovery
has been made near Dhanauti River situated in Village Hathiyahi,
District West Champaran. He further submits that the petitioner
has not been apprehended from the place of occurrence rather his
name has come in this case only due to the reason that there are 7
criminal cases pending against in which he is on bail. He also



submits that petitioner is in custody since 28.02.2023.

5. Learned counsel for the State opposes the prayer for bail and and submits that at the time of granting bail the antecedent of petitioner may be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Piprakothi P.S. Case No.18 of 2022, pending before the learned Exclusive Special Excise Court No.I, East Champaran, Motihari is hereby rejected.

8. However, the petitioner would be at liberty to renew the prayer for bail after framing of the charge. In the event, if the charge has already been framed, the petitioner is directed to be released on bail by the learned Court below by imposing its own condition so that the petitioner may not evade his appearance during trial.

9. With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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