

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46326 of 2023

Arising Out of PS. Case No.-230 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Manoj Sah S/O Yamuna Mahto R/O Village- Kharwa, PS Banjariya, Dist.
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks pre-arrest bail in connection with
Turkauliya (Raghunathpur O.P.) P.S.Case No.230 of 2023,
registered for the offences punishable under Sections 272 and
273 of the Indian Penal Code and Section 30(a), 41(i) of the
Bihar Prohibition and Excise Act.

As per FIR, allegation is of recovery of 51 ltrs. of
country-made liquor from the bank of river. As per the statement
made in paragraph no.3 of the bail application, this is the fourth
offence committed by the petitioner under the Excise Act.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has been named in



the FIR on the basis of his past record.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Considering the nature of allegation made in the FIR as well as the fact that the record reveals that the petitioner is engaged in the trade of liquor and he has not stopped himself, however, by way of last indulgence, he be released on pre-arrest bail on furnishing personal bail bond of Rs.5,00,000/- (five lac) with two sureties of the like amount each to the satisfaction of learned Exclusive Special, Excise Court No.1, East Champaran at Motihari in connection with Motihari Turkauliya (Raghunathpur O.P.) P.S.Case No.230 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that one of the bailors shall be his close family member.

(Purnendu Singh, J)

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