

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65929 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Rahul Sahni Son Of Bhagat Sahni @ Bhagat Chaudhari Resident Of Village-
Hathiyahi, Ps- Piprakothi, Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Piprakothi P.S. Case no. 45 of 2023 registered under sections 272, 273, 308 and 34 of the Indian Penal Code and sections 30(a), 32, 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on secret information having been received it is stated that a raid was conducted in land of Seth Sahani. Seeing the police personnel the accused persons started to flee away and were successful. It is stated that the villagers who had gathered there disclosed the name of the seven persons who had escaped from the place which included the petitioner. 40 litres of country liquor was recovered.

4. Learned counsel for the petitioner submits that the



allegation as levelled in the F.I.R. are false and concocted. Neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. He has been falsely implicated in the case because of his antecedents. The petitioner is in custody since 9.6.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having been arrested at the spot, his not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016 and having remained in custody since 9.6.2023, the Court directs the petitioner to be enlarged on bail in connection with Piprakothi P.S. Case no.45 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I Civil Court, East Champaran at Motihari.

(Partha Sarthy, J)

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