

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64829 of 2023

Arising Out of PS. Case No.-1669 Year-2023 Thana- Excise P.S. District- East Champaran

Sunil Sah, Son Of Late Rajwanshi Sah, Resident Of Village - Rama Singh
Tola, Shankar Saraiya, P.S. - Turkauliya, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise P.S. Case No. 1669 of 2023 dated 25.07.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the petitioner and the co-accused person were apprehended with motorcycles. 6.9 litres of illicit spirit hanging on the handle of the motorcycle and 15 litres of Nepali Kasturi liquor were recovered from the bag tied on the back seat of the petitioner's motorcycle. 35 litres of country made liquor was recovered from the motorcycle of the co-accused, Vyas Paswan.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner and the petitioner has no concern with the alleged recovery. The petitioner is accused in six other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. 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, East Champaran, Motihari in connection with Excise P.S. Case No. 1669 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail



bonds are liable to be
cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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