

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65555 of 2023

Arising Out of PS. Case No.-320 Year-2021 Thana- SUGAULI District- East Champaran

DHARNI SAHNI SON OF ARJUN SAHNI RESIDENT OF VILLAGE-
MEHWA, PS- SUGAULI, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has filed the instant application for
grant of regular bail in connection with Sugauli P.S. Case No.
320 of 2021 registered under section 30(a) of the Bihar
Prohibition and Excise Act.

3. Prosecution case relates to recovery of 14 liters
illegal country made liquor from from a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner was no apprehended on the spot and merely on
discloser of local *Chaukidar* he has falsely been implicated in
this case. It is further submitted that nothing incriminating has
been recovered from the conscious possession of the petitioner



and he has no concern with the seized illicit liquor. It is also submitted that the petitioner is not the owner of the said vehicle. Moreover, he is languishing in judicial custody since 24.07.2023.

5. The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

6. The petitioner is directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) in the District Legal Services Authority of the concerned District.

7. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sugauli P.S. Case No. 320 of 2021 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 No-1, Motihari, East Champaran.

8. The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of



deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in
the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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