

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71734 of 2023

Arising Out of PS. Case No.-890 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Mahangu Sahni @ Jitendra Sahni, Son of Bhukhal Sahani, Resident of
Village-Kataha, PS-Muffasil, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 07-11-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Trial no.1141 of 2023
(arising out of Muffasil P.S. Case no.890 of 2022) registered
under section 30(b), 32 and 41(i) of the Bihar Prohibition and
Excise Act, 2016.

3. As per the prosecution case, it is stated by the
informant that on an information having been received a raid
was conducted by the side of the bank of a river. Seeing the
police personnel the accused persons managed to escape. A total
of 1000 litres of raw material and 2 litres of liquor was
recovered and the person who managed to escape was identified
by local *Chaukidar* as the petitioner herein.



4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article was recovered from his possession. He has been falsely implicated in the case. The petitioner is in custody since 8.6.2023 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner being in custody for about 5 months since 8.6.2023, no incriminating article having been recovered from his possession and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Trial no. 1141 of 2023 (arising out of Muffasil P.S. Case no.890 of 2022), 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, East Champaran at Motihari.

(Partha Sarthy, J)

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