

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70951 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- BALIA BELON District- Katihar

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Raju Kumar Sahani Son Of Sri Lalan Sahani @ Lalan Sahni R/V- Neuri Tol,
P.S- Birol, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 448.8
litres of IMFL from a pickup bolero van bearing
registration No. BR-07GB-4636.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and
has committed no offence. He has no concern with the
alleged recovery. The name of the petitioner sprang up



in this case only because he is the owner of the alleged vehicle. The vehicle was given on rent to co-accused but he loaded liquor without the knowledge of the petitioner. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 2.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is further submitted that similarly situated co-accused has been granted Bail vide order dated 09.12.2022 passed in Cr. Misc No. 62797 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten



thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. 1, Katihar in connection with Balia Belon P.S. Case No. 77 of 2022.

(Sunil Kumar Panwar, J)

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