

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71921 of 2023

Arising Out of PS. Case No.-393 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Mantosh Sahni Son Of Shiv Narayan Sahani @ Narayan Sahani @ Shiv
Narayan Chaudhary Resident Of Village - Bairiyadih Ward No.7, P.S. -
Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
94.5 liters of illegal foreign liquor from beside the road of
Bairiya Dih village.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
He submitted that the petitioner has no concern with the wine in
question and the place of occurrence does not belongs to the



petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 16.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Excise Court No. 2, Motihari at East Champaran in connection with Government Official Comp. P.S. Case No. 393 of 2021.

(Sunil Kumar Panwar, J)

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