

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74955 of 2022

Arising Out of PS. Case No.-276 Year-2022 Thana- CHHAURADANO District- East
Champaran

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Kishori Sah @ Kishor Sah Son of Late Satan Sah @ Stayanarayan Sah R/v-
Hiramani, P.S.- Chhauradano, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Chhauradano P.S. Case No. 276 of 2022 lodged under Sections
272, 273 of the I.P.C. read with Section 30(a) of Bihar
Prohibition and Amendment Act, 2022.

As per the prosecution case, the total recovery of 20
litre wine has alleged to be made from the *Gawas*, is the subject
matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Nothing
was recovered from his possession. His name has come in this
case from the place of occurrence and apprehended in police

raid.

Counsel further submits that there are 5 criminal cases pending against the petitioner and all the 5 cases are relating to excise matter in which he is on bail. Counsel submits that petitioner is in custody since 13.08.2022.

Upon specific query whether charge has been framed or not. As per the knowledge of counsel, charge has not been framed.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is accused in 5 similar types of cases and it is the 6th case filed against him.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail 2 months after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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