

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6211 of 2024

Arising Out of PS. Case No.-196 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

Sanjay Sahu, aged about 25 years, Gender- Male, Son of Rambilash Sahu
Resident of village- mirchak P.S. -Manigachi District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate.
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Dumariyaghat P.S. Case No. 196 of 2023 dated 08.07.2023
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. As per prosecution case, total 243 litres of illicit
foreign liquor was recovered from the Maruti Suzuki Ritz
car in question.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 30.08.2023. Petitioner
has two criminal antecedents but he is on bail in both the



cases, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. He further submits that the petitioner has no knowledge about the alleged recovery. No incriminating article has been recovered from the conscious possession of the petitioners. There is no compliance of Section 100 of the Cr.P.C. Similarly situated co-accused has already been granted bail by the Co-ordinate Bench of this Court vide order dated 09.01.2024 passed in Cr. Misc. No. 71765 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of Court below/concerned Court in
connection with Dumariyaghat P.S. Case No. 196 of
2023.

(Rudra Prakash Mishra, J)

Nilmani/-

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