

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9156 of 2024

Arising Out of PS. Case No.-236 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Sachin Kumar @ Sachin Kumar Sahni @ Polo Sahni Son of Fulalo Sahni @
Fulchandra Sahni Resident of Village-Manjhaul, P.S.-Cheriya Bariyarpur,
District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Nakul Jamuar, Advocate

For the State : Mr. Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Cheriya Bariyarpur P.S. Case No. 236 of 2022 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

3. As per prosecution case, there is recovery of total
40 liters of illicit country made liquor from motorcycle.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16-10-2023. Petitioner
bears three criminal antecedents, 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. Petitioner has no concern with the alleged recovered liquor. Petitioner is neither the owner nor the driver of the vehicle in question. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

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, period of custody of the petitioner and manner of implication, 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 Cheriya Bariyarpur P.S. Case No. 236 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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