

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7658 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- DARBHANGA District- Darbhanga

Ravi Prakash Sahni S/o Mahadev Sahni R/o Village/Mohalla - Bhatiyari
Sarai, P.S. - town (Kotwali O.P.), Dist. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Udeshya Yadav, Advocate
For the State : Mr. Gulnar Begum, APP

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

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Town
(Kotwali, O.P.) P.S. Case No. 239 of 2023 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
387 liters of illicit country made liquor from Honda Car bearing
Registration No. DL3CAK9421.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-12-2023. Petitioner
bears one 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 taken lift and was sitting in the vehicle in question. Petitioner has no concern with the alleged recovered liquor. In fact, seizure list is not prepared in accordance with law. 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 Town P.S. Case No. 239 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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