

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8341 of 2024

Arising Out of PS. Case No.-364 Year-2023 Thana- BAHERA District- Darbhanga

Lal Sahani Son Of Yogendra Sahani R/O-Pohaddi, P.S.-BAHERA, Distt.-
DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ugranath Mallik, Advocate

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

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

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bahera P.S. case No.
364 of 2023 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 3211.470
liters liquor was recovered from the truck.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
petitioner has got no concern with the alleged recovery of
liquor. The petitioner is neither the owner nor the driver of the
vehicle in question. No incriminating material has been
recovered from the conscious possession of the petitioner. The



petitioner is in custody since 08.11.2023 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

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

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

7. 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 Bahera P.S. case No. 364 of 2023.

(Rudra Prakash Mishra, J)

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