

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19962 of 2024

Arising Out of PS. Case No.-661 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

Raghav Sahani @ Radho Sahani @ Ragho Sahani @ Raghaw Sahani S/o-
Firangi Sahani Village- Tikuliya Ps- Muffasil Motihari Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

=====

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

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Muffasil P.S. Case No.
661 of 2021, instituted for the offences punishable under
Sections 30(a)(b), 32 and 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 85 liters
liquor was recovered from the field of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of liquor. It is further submitted that



the alleged recovery has been made from an open place which is accessible to everyone and name of the petitioner has transpired on basis of confessional statement of co-accused Guddu Kumar. The petitioner is in custody since 07.11.2023 and has got two criminal antecedents in which the petitioner is on bail in one case. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 661 of 2021.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

