

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20839 of 2024

Arising Out of PS. Case No.-900 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Ramu Sahni S/O Moti Sahni @ Shiv Sahni R/O Village- Kodwarwa Ghat,
P.S- Raghunathpur O.P, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Turkauliya (Raghunathpur O.P.) P.S. Case No. 900 of 2023
instituted for the offences under Section 272 and 273 of the
Indian Penal Code and Section 30(a) and 41(i) of the Bihar
Prohibition and Excise Act, 2016.

3. As per prosecution case, the police recovered 100
litres of country made liquor from the motorcycle of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor or the alleged vehicle. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 28.12.2023. Charge-sheet has been submitted in this case.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner let the petitioner, abovenamed, 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 Turkauliya (Raghunathpur O.P.) P.S. Case No. 900 of 2023.

(Rudra Prakash Mishra, J)

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