

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17694 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- KATEYA District- Gopalganj

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Bipin Sahani @ Vipin Sahni Son Of Late Bimal Sahni Resident Of Village-
Fursatpur Bairiya, PS- Motihari Mufassil, Dist- Motihari East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 11-03-2024 Heard Mr. Setu Prateek, learned counsel for the

petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in Kateya P.S. Case No. 23
of 2024, instituted for the offences punishable under Section
414 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 250.200
liters liquor was recovered from tempo and the petitioner was
apprehended on spot.

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 petitioner is driver and not owner of the seized tempo, he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 25.01.2024 and has got no criminal antecedent. 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 Kateya P.S. Case No. 23 of 2024.

(Rudra Prakash Mishra, J)

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