

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 23549 of 2024

Arising Out of PS. Case No.-53 Year-2023 Thana- PIPRASI District- West Champaran

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GENDER SAHANI @ GYANENDRA SAHANI @ GENDAR SAHANI Son
of Bhulan Sahani Resident of Shashtri Nagar, Ward No. 14, Police Station-
Bagaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR JUSTICE KHATIM REZA
ORAL ORDER

3 23-05-2024

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2 The petitioner apprehends arrest in connection with
Piprasi PS Case No 53 of 2023 dated 19.10.2023 instituted
under Section 30 (a) of the Bihar Prohibition and Excise
Amendment Act, 2022.

3 The allegation is that 200.55 liters of illicit liquor
has been recovered.

4 The learned counsel for the petitioner submitted that
petitioner is innocent and has been falsely implicated in this
case. It is submitted that the petitioner has been implicated in
this case only on the basis of confessional statement of Krishna
Kumar who was caught at the spot. It is further submitted that
five seizure lists were prepared for different accused persons. It
is also submitted that petitioner was not arrested at the spot.



Nothing incriminating articles have been recovered from the possession or from the house of the petitioner. Learned counsel for the petitioner further submitted that three accused persons, namely, Bablu Yadav, Chhotey Yadav @ Chhotelal Yadav and Raju Yadav have been granted bail by this Court vide Cr Misc No 3033 of 2024. It is also submitted that the petitioner has got no criminal antecedent.

5 Learned APP has opposed the prayer for bail.

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bagaha, West Champaran in Piprasi PS Case No 53 of 2023 dated 19.10.2023 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

7 The application stands allowed.

(Khatim Reza, J)

M.E.H./-

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