

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27827 of 2024

Arising Out of PS. Case No.-218 Year-2019 Thana- SUGAULI District- East Champaran

Akhilesh Sahani Son Of Gagandev Sahani Resident Of Village - Muswa
Bhedihari, Konwa Tola, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sugauli P.S. Case No. 218 of 2019, instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 50 liters liquor was recovered from orchard.

4. Learned counsel for the petitioner submits that the petitioner is innocent and 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 place of recovery does not belong to the petitioner and name of the petitioner has transpired on the basis of disclosure made by the local people. The petitioner is in custody since 08.02.2024 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 Sugauli P.S. Case No. 218 of 2019.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

