

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27199 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- TURKAULIYA District- East Champaran

Birendra Sahani Son Of Puran Sahani Resident Of Village- Chichurahiya
(Chichurahia), Ps- Banjaria Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate

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

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Turkauliya (Banjariya)
P.S. Case No. 63 of 2024, instituted for the offences punishable
under Sections 30(a) and 41(i) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 70 liters
liquor was recovered from gallons carried by the petitioner and
the petitioner was apprehended on spot.

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. The petitioner is in custody since 25.01.2024 and has got one criminal antecedent in which the petitioner is on bail. 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 Turkauliya (Banjariya) P.S. Case No. 63 of 2024.

(Rudra Prakash Mishra, J)

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