

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28084 of 2024

Arising Out of PS. Case No.-661 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Kamlesh Sahani @ Kamleshwar Sahani S/o Dhanai Sahani R/o vill - Tikuliya,
Dhab Tola, P.s. - Muffasil, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s	:	Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for an
offence punishable under Sections 30(a), (b), 32 and 41(i) of
the Bihar Prohibition & Excise Act, 2018.

3. As per allegation in the FIR, total 35 liters of coun-
try made liquor was recovered from a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case and no independent witness of seizure list and similarly
situated co-accused Sukul Sahani has been granted bail by this
Court passed in Cr. Misc. No. 13268 of 2024 and petitioner is
in custody since 03.02.2024



5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, East Champaran, Motihari in connection with Muffasil P.S Case No. 661 of 2021.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that if the charge-sheet has not been submitted then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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