

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34917 of 2024

Arising Out of PS. Case No.-499 Year-2023 Thana- CHHATAUNI District- East Champaran

Rajesh Sah Son of Ganga Sah R/O Village- Bara Bariyarpur, P.S.- Chhatauni,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kant Mani Tripathi

For the Opposite Party/s : Mr.Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chhatauni P.S. Case No. 499 of 2023 dated 07.10.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 10.5 litres of illicit country-made liquor was recovered from the bank of river.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The recovery was from an open place



which is accessible to anyone. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 499 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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