

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32746 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- KHANPURA District- Samastipur

Radha Devi Wife of Sanjit Sahani @ Sanjit Kumar Sahani @ Sanjit Sahani
Resident of Village - Shripur gahar tole, Gudarghat ward no. 17,P.O. -
Shripurgahar, P.S. - Khanpur, Distt.- Samastipur .

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brahmaputra Singh Ishu, Advocate
Ms. Poonam Kumari, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Khanpura P.S. Case No.
43 of 2024, instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 26.94 liters
liquor was recovered from the hut of 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. It is further submitted that the alleged recovery has been made from joint family house of the petitioner where other family members also reside. The petitioner is in custody since 22.03.2024 and has got no criminal antecedent. 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 Khanpura P.S. Case No. 43 of 2024.

(Rudra Prakash Mishra, J)

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