

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38738 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- BANJARIA District- East Champaran

Viresh Kumar Son of Late Jawahir Sahani Resident of Village - Mehawa,
P.S.- Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Banjariya P.S. Case No. 09 of 2024 lodged on 11.03.2024 under
Section 272, 273, 414 of I.P.C & under Section 30(a) of Bihar
Prohibition and Excise Act.

3. As per the prosecution case, the total recovery is 60
litres of wine from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that he is unnecessarily been arrested by the police and
the recovery of wine has been made from the motorcycle and he
further submits that the petitioner is not the owner of the
motorcycle. Learned counsel next submits that antecedent of the



petitioner is clean and he is in custody since 12.03.2024.

4. Learned counsel for the state opposes the prayer for bail and submits that the motorcycle from where the petitioner has been arrested was alleged to be distorted motorcycle, engine and chechis no.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail, but only after framing of charge, if not framed, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, East Champaran at Motihari in connection with Banjariya P.S. Case No. 09 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J)

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