

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35801 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Durgesh Sahani @ Durga Sahani S/o Late Mobil Sahani @ Momil Sahni R/o
vill - Majhar, ward no. 17, P.S. - Pakaridayal, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 10-06-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner apprehends arrest in connection with
Pakaridayal P.S. Case No. 85/2024 registered for the offence
under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2022.

3. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case. Further submission is that the alleged recovery of
illicit liquor does not belong to the petitioner and that the name
of the petitioner has been implicated by one local Chowkidar.
Learned counsel further submits that nothing has been recovered
from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that the



criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and this aspect may be taken into consideration while considering the bail application of the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner, above named are directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, East Champaran, Motihari in connection with Pakaridayal P.S. Case No. 85/2024 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Arvind Singh Chandel , J)

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