

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37361 of 2024

Arising Out of PS. Case No.-199 Year-2023 Thana- HARSIDHI District- East Champaran

Raju Sahani Son of Sahdev Sahani Resident of village - Damobriti, P.S.-
Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 272, 273 of the Indian Penal Code and Section 30(a) Bihar Prohibition and Excise Act.

As per prosecution case, it is a case of recovery of total 96 liters illegal liquor from an open place.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner was apprehended on the spot nor place of



occurrence belongs to him. It is further submitted that nothing has been recovered from his conscious possession. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 23.04.2024. Similarly situated co-accused namely, Nandu Sahani has already been granted bail vide order dated 14.07.2023, passed in Cr. Misc. No. 41447 of 2023 by this Court.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Harsidhi P.S. Case No. 199 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-I, East



Champan, Motihari.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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