

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38794 of 2024**

Arising Out of PS. Case No.-1054 Year-2023 Thana- TURKAULIYA District- East
Champaran

Mukesh Sahani Son of Late Chandri Sahani Resident of Village- Jhakhiya,
P.S.- Banjaria, Distt. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar,Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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

ORAL ORDER

3 23-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in para 3 of the bail petition with
regard to the criminal antecedent.

3. The petitioner has preferred this application for
grant of regular bail in connection with Turkauliya P.S. Case
No. 1054 of 2023 dated 08.10.2023 registered for the offences
punishable u/ss 30(a), 41(i) of the Bihar Prohibition and Excise
Act.

4. As per the prosecution case, total 65 litres of illicit
country made liquor was recovered near the canal which was
allegedly thrown by the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. Local *Chowkidar* disclosed the name of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.04.2024.

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, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 1054 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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