

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41000 of 2024

Arising Out of PS. Case No.-719 Year-2024 Thana- Excise P.S. District- East Champaran

1. Dadan Kumar Son of Lalbabu Sahani Resident of Village – Mehawa, ward no.13, P.S.- Sugauli, Distt- East Champaran.
2. Madhurendra Sahani Son of Late Upendra Sahani Resident of Village - Mehawa, ward no.12, P.S.- Sugauli, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-06-2024 1. Heard learned counsel appearing on behalf

of the petitioners and learned APP appearing on behalf

of the State.

2. The petitioners seek bail in connection with

Excise P.S. Case No. 719 of 2024 registered for the

offence under Section 30(a) of Bihar Prohibition and

Excise [amended up-to-date] Act.

3. The both accused/petitioners are named in

the F.I.R. and are in custody since 24.04.2024.

4. The allegation against petitioners is to have

in possession of total of 104 litres of country made illicit



liquor and also alleged to be engaged in illegal trade arises out of said illicit liquor.

5. Learned counsel appearing on behalf of the petitioners submitted that petitioners implicated falsely with present case during police checking as a hot altercation took place with police. It is pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnels, despite of availability of independent witnesses, suggesting further false implication. While concluding the argument, it is submitted that petitioner no. 1 found involved in one more criminal case, where he is on bail, whereas petitioner no. 2 is a man of clean antecedent.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of nature of accusation, where both petitioners are in custody since 24.04.2024, accordingly, both petitioners above named, are directed to be released on bail in connection with



Excise P.S. Case No. 719 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, East Champaran at Motihari/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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