

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44408 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- PIPRA District- East Champaran

Santosh Sahani Son Of Shanker Sahani Resident Of Village - Tikuliya, P.S. -
Pipra, District - East Champaran, Motihari

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pipra P.S. case No. 78
of 2024 instituted for the offences under Sections 30(a) and
41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 168.5 liters
liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is
further submitted that the recovery is made from the joint house



of the petitioner where other family members also reside. The petitioner is in custody since 06.04.2024 and has got ten criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipra P.S. case No. 78 of 2024 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner commits similar type of offence in future, the Trial Court will be at liberty to cancel the bail



bonds of the petitioner.

(Rudra Prakash Mishra, J)

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