

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46471 of 2024

Arising Out of PS. Case No.-642 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Ramayodhya Sahani S/o Ramchandra Sahani @ Chandar Sahani R/o vill -
Madhubani Ghat, P.S. - Mufassil, Distt. - East Champaran
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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

ORAL ORDER

2 25-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 642 of 2023 dated 05.09.2023 registered for the offences punishable u/s 30(a), 32, 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40 litres of illicit country made liquor was recovered from the *field of Bau Sahani*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner disclosed by the local chaukidar. Similarly situated co-accused has already been



granted anticipatory bail by the co-ordinate bench of this court *vide* order dated 23.01.2024 passed in Cr. Misc. No. 84762 of 2023. The recovery has been made from an open place which is accessible to anyone. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 23.04.2024.

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 nature of allegation levelled against the petitioner and 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, East Champaran in connection with Muffasil P.S. Case No. 642 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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