

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58051 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- Banjariya District- East Champaran

Rajesh Sahani @ Rajesh Sahni Son of Late Mahendra Sahani Resident of
Vill- Chichurahiya, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Banjariya P.S. Case No.
156 of 2024, instituted for the offences punishable under
Sections 274, 275 of the B.N.S and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 35 liters
liquor was recovered from the house of the petitioner and the
petitioner was apprehended on spot.

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. Learned counsel for the petitioner further submitted that the house is a joint property where other family members also reside and the petitioner is not the exclusive owner of the house in question. The petitioner is in custody since 09.07.2024 and has got two criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banjariya P.S. Case No. 156 of 2024.

(Rudra Prakash Mishra, J)

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