

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59897 of 2024

Arising Out of PS. Case No.-1184 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Lalan Sahani Son of Banati Sahani @ Banti Shani Resident of Village -
Chailahan Kothi, P.S.- Banjaria, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 21-08-2024 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 Turkaulia (B) P.S. Case No. 1184 of 2022 dated 10.12.2022 registered for the offences punishable u/s 272, 273, 414 of the I.P.C and section 30(a), 31, 32, 41(1) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 120 litres of illicit country made liquor, liquor making apparatus and without number plate motorcycle were recovered near the bank of *Chailahan watercourse*.

4. 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 rather the recovery has been made from the an open place which is accessible to anyone. The petitioner is not the owner of the said seized vehicle and the same was not being driven by him at the time of the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 14.07.2024.

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 Turkaulia (B) P.S. Case No. 1184 of 2022, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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