

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70889 of 2024**

Arising Out of PS. Case No.-311 Year-2024 Thana- Excise P.S. District- East Champaran

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UMESH SAHANI S/O LATE YOGI SAHANI R/o vill - Bara Baisaha, ward  
no. 1, P.S. - Chakiya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**  
For the Petitioner/s : Mr. Suraj Kumar Tiwari, Adv.  
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2      30-09-2024                      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 Excise P.S. Case No. 311 of  
2024 dated 28.08.2024 registered for the offences punishable u/ss  
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 52 litres of illicit  
country made liquor was recovered from the plastic sack.

4. Learned counsel for the petitioner has submitted that  
the petitioner is innocent and has falsely been implicated in this  
case. The recovery was made from an open place that was  
accessible to anyone. Nothing has been recovered from the  
conscious possession of the petitioner. The petitioner has no  
concern with the alleged recovery. The petitioner has no criminal



antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.08.2024.

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 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 at Motihari in connection with Excise P.S. Case No. 311 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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