

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69882 of 2024

Arising Out of PS. Case No.-767 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Sunil Sahani, aged about 35 years, Gender-Male, S/o Chhathu Sahani, R/o
Vill.- Jhakiya, P.S.- Banjariya, Dist- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Priyesh Kumar, Advocate
For the Opposite Party : Mr. Md. Matloob Rab, A.P.P.

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

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Turkaulia (B) P.S. Case No. 767 of 2022 dated 08.08.2022
registered for the offences punishable under Sections 272, 273
of the I.P.C. and Sections 30(a), 32, 41(1) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 40 litres of illicit
country made liquor was recovered from the Motorcycle.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is submitted that nothing has been recovered from
the possession of the petitioner. The petitioner is neither the



owner nor the pillion rider of the motorcycle in question. The petitioner has no concern with the alleged offence. He was not apprehended on the spot. The petitioner has been remanded in the present case from Excise P.S. Case No. 1235 of 2024. The petitioner has four criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 13.08.2024.

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 Exclusive Special Excise Judge-I, Civil Court, East Champaran at Motihari in connection with Turkaulia (B) P.S. Case No. 767 of 2022 with further condition:-

(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 bonds of the petitioner are



liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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