

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73411 of 2024

Arising Out of PS. Case No.-365 Year-2024 Thana- SUGAULI District- East Champaran

Basanti Sah, aged about 60 years (Male), Son of Late Sakal Sah, R/o- Shripur
Tola, Dharmpur, P.S.- Sugauli, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Dhannjay Kumar II, Advocate
For the Opposite Party : Mrs. Asha Kumari, A.P.P.

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

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 365 of 2024 dated 14.08.2024 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 60 litres of illicit
country made liquor was recovered. Out of which, 25 litres of
illicit liquor was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The place and the alleged illicit liquor does not belong
to the petitioner. He has no concern with the alleged offence.



Nothing has been recovered from his possession. There is no compliance of Section 100 of the Cr.P.C. The other co-accused Munna Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 71035 of 2024 under order dated 01.10.2024. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 15.08.2024.

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 Court No.-1, East Champaran at Motihari in connection with Sugauli P.S. Case No. 365 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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