

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75917 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- Excise P.S. District- Madhepura

Shailendra Sah @ Salendra Sah S/o Kamal Sah Resident of village- Tarabe,
Ward No 5, PS- Gamhariya, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Barun Kumar Singh, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioner and
Learned APP for the State

2. The petitioner is apprehending his arrest in connection with Madhepura Excise P.S. Case No. 292 of 2023, lodged on 06.04.2023, under Sections 30(a) and 44(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 3.500 litres of illicit country made liquor has been made, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner has falsely been implicated in this case and no recovery has been made from the conscious



possession of the petitioner. Counsel also submits that the antecedent of the petitioner is clean and he has been unnecessarily made accused in the present case.

5. Learned APP for the State opposes the prayer for bail.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VII-cum-Special Judge Excise-II, Madhepura, in connection with Madhepura Excise P.S. Case No. 292 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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