

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84554 of 2024

Arising Out of PS. Case No.-881 Year-2024 Thana- ALAMGANJ District- Patna

Panchu Sahani @ Pachu Sahani Son of Sri Jagalal Sahani @ Jailal Sahani @
Muchchu Sahani village- Gosai Ghat, Ps- Alamganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Shekhar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Alamganj PS Case No. 881 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 200 liters of
country made liquor was recovered from river bank near *Gosai*
ghat.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Name of the petitioner was disclosed by
apprehended accused persons. No incriminating material has
been recovered from the conscious possession of the petitioner.



The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 07-10-2024 and has got seven criminal antecedents. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted regular bail by this Court *vide* order dated 05-12-2024, passed in Cr. Misc. No. 83422 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Alamganj PS Case No. 881 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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