

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84883 of 2023

Arising Out of PS. Case No.-521 Year-2023 Thana- TURKAULIYA District- East Cham-
paran

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Mithu Sahni @ Mithu Kumar Sahni SON OF MAHENDRA SAHNI R/O
VILL.- JHAKHIYA @ JHAKHIYA NAYA TOLA, P.S.- BANJARIYA, DIS-
TRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under sections 272,
273, 34 of the Indian Penal Code and Sections 30(a), and
41(i) of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery
of 61 liters country made liquor from an open place.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
present case merely on the basis of disclosure of co-accused.



The petitioner has no concern with the alleged recovery and he was also not apprehended from the place of recovery. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 02.10.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Turkauliya (Banjariya) P.S. Case No. 521 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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