

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86589 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- Raghunathpur District- East Champaran

Akash Sahani @ Akash Kumar S/O Nawal Sahani @ Nawal Kishor
Chaudhari R/O vill - Raghunathpur, P.S - Raghunathpur, Dist- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

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

ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Raghunathpur P.S. Case No. 18 of 2024, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 16 liters
liquor was recovered from a jute bag near a river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. 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. Learned counsel



for the petitioner also submits that the alleged recovery has been made from bank of a river which is an open place and easily accessible to public at large. The petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of disclosure made by local people. The petitioner is in custody since 09.10.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghunathpur P.S. Case No. 18 of 2024

(Rudra Prakash Mishra, J)

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