

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86204 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- MANIGACHI District- Darbhanga

Sanjay Sahu, S/o Ram Bilash Sahu R/o Village- Mirchak, P.S.- Manigachi
(Bajitpur O.P.), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in connection with Manigachi (Bajitpur O.P.) P.S. Case No. 01 of 2023 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 395 liters and 280 ml foreign liquor from the Scorpio Vehicle.

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 only on the basis of disclosure of apprehended co-accused Raj Kishore Sahu. Petitioner has



no concern with the alleged recovery. Neither he was arrested on the spot nor any incriminating incriminating article has been recovered from his conscious possession. Seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. The petitioner is languishing in judicial custody since 25.09.2023.

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

The petitioner being driver of the alleged vehicle is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Manigachi (Bajitpur O.P.) P.S. Case No. 01 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 Court of Exclusive Special Judge-II (Excise Act), Darbhanga.



The bail bond of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Rs. Five Thousand)** by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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