

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2882 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- BANJARIA District- East Champaran

Rajan Sah S/o Bhola Sah Resident of village- Daroga Tola, P.S.- Banjariya,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv

For the Opposite Party/s : Mr. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Banjariya P.S. Case No. 325 of 202427.10.2024 registered for the offences punishable u/s 317(5), 274 and 275 of the Bhartiya Nyaya Sanhita and Section 30(a) and 41 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 43.200 litres of illicit foreign liquor was recovered from the Tempo.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. The name of the petitioner has transpired in this case



merely on the basis of the confessional statement of the apprehended co-accused *Pappu Sah* and *Rajesh Kumar*. The petitioner is not the owner of the said seized vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has four antecedents as stated in the Supplementary Affidavit. The petitioner is in custody since 29.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Banjariya P.S. Case No. 325 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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