

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1861 of 2025

Arising Out of PS. Case No.-1706 Year-2024 Thana- Excise P.S. District- East Champaran

Prakash Sah Son of Chhotelal sah Resident of village- Pokhara Shekh Toli,
P.S.- Kotwa, 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. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-02-2025 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 Excise P.S. Case No. 1706/2024 dated 07.10.2024 registered for the offences punishable u/s 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 70 litres of illicit country-made liquor was recovered from the two sacks tied with the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. Similar situated co-accused person has already been granted bail by this Court vide order dated 15.02.2025 passed in Cr. Misc. No. 87950 of 2024. The name of the petitioner has transpired in this case merely on the basis of confessional statement of the co-accused *Manoj Kumar Yadav*. The petitioner is not the owner of the said vehicle. The petitioner has no concern with the alleged recovery. The petitioner has four antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 19.11.2024.

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 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, Motihari, East Champaran in connection with Excise P.S. Case No. 1706/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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