

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89061 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- LAKHAURA District- East Champaran

Chhabila Sahani S/o Vishwanath Sahani @ Vishvnath Sahni Resident of
village- Lakhaura, PS- Lakhaura, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Lakhaura P.S. Case No. 103 of 2024 registered on 01.09.2024 for the offences punishable under Sections 30(a), 32, 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution, recovery of 60 liters of Desi Mahua wine is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. From the seizure list, it becomes crystal clear that the said recovery has been made behind the back of the temple and the petitioner has unnecessarily been made accused in the present case. Counsel



fairly submits that his antecedent is not clean, there is one criminal case pending against him but the said antecedent is not related to Excise Act, rather the said antecedent falls under the provisions of the Indian Penal Code. Counsel further submits that one co-accused has already been granted bail by this Court *vide* order dated 11.11.2024 passed in Cr. Misc. No. 75606 of 2024.

5. Learned APP for the State, on the other hand, opposes the prayer for bail.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Court No. 01, East Champaran at Motihari, in connection with Lakhaura P.S. Case No. 103 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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