

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87061 of 2024

Arising Out of PS. Case No.-293 Year-2024 Thana- KOTWA District- East Champaran

Ajay Sahani S/O Ramnath Sahani R/O Vill.- Talwa, P.S- Kotwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

ORAL ORDER

6 30-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kotwa PS Case No. 293 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 43 litres of country made liquor was recovered from poultry farm of the petitioner.

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. It is submitted that the name of the petitioner has transpired as being the owner



of the poultry farm. The said poultry farm is in dilapidated condition and also an open place, which is accessible to one and all. The petitioner is in custody since 19.10.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kotwa PS Case No. 293 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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