

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34222 of 2016

Arising out of P.S. Case No. -217 Year- 2016 Thana -
MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Birju Sahani, Son of Sugriv Sahani, Resident of village- Mission
Chowk, P.S.- Muffasil, District- East Champaran... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.

: Mr. Karan Deep Kumar, Adv.

For the Opposite Party/s: Shri Shantanu Kumar, APP.

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 07.09.2016

Heard parties.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 272 and 273 of the
Indian Penal Code and Sections 47(a), 53(c) and 54 of the Bihar
Excise Amendment Act, 2016.

As per the allegation, on confidential information, the
police proceeded to raid the shop/house of the petitioner, however,
it is alleged that seeing the police party he escaped taking help of
the darkness, the shop was raided and eight litres of country-made
liquor was recovered kept in 40 pouches of 200 ML.

It is contended that the petitioner has been falsely
implicated in this case and has no connection with the recovered

liquor and nothing has been recovered from his conscious possession. It is further contended there is nothing on record to show that the said alleged shop belongs to the petitioner. It is also contended that the petitioner's antecedent is clean.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Birju Sahanai be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Muffasil P.S. Case No. 217 of 2016 (G.R. Case No. 2941/2016), on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, at the time of accepting bail bond, the court below will verify and ensure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken in custody.

(Dr. Ravi Ranjan, J.)

Vikash/-

U		T	
---	--	---	--