

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62615 of 2018

Arising Out of PS. Case No.-264 Year-2017 Thana- UCHKAGAON District- Gopalganj

Rudal Sahni, Son of Nandlal Sahni, R/o Village- Barari Jagdish, P.S.-
Uchkagaon, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh, Adv.

For the Opposite Party/s : Mr. None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-10-2018 Heard Sri Amit Kumar Rakesh, learned counsel for
the petitioner. None appeared on behalf of the State.

The sole petitioner, apprehending his arrest in Uchkagaon P.S. Case No. 264 of 2017 registered for the offence under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent. He further submits that only on suspicion or village politics, the petitioner has been made accused, otherwise on perusal of the F.I.R., it is evident that the informant, who is a police officer, himself has stated that the riders of two



motorcycles after seeing the police party, taking advantage of dense fog, fled away. He submits that due to dense fog, there was no reason to identify either of the accused persons, whereas the petitioner was arrayed as one of the accused. Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph-8 of the petition to show that petitioner is not owner of either of the seized motorcycles, from which huge quantity of country-made liquor was shown to be recovered.

In view of facts and circumstances, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Rudal Sahni be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II-cum-Special Judge, Gopalganj in connection with Uchkagaon P.S. Case No. 264 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

nawalkrs/-

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