

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19224 of 2018

Arising Out of PS.Case No. -48 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Milan Sahani, Son of Kapildeo Sahni, Resident of Village-Bakhri Nazir,
P.S. Mehsi, District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/S. Rajive Ranjan Singh and Shanti
Bhushan Singh, Advocates.

For the Opposite Party : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 143, 186, 224, 225,
307, 353/34 of the IPC, 37(b) and 45 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that the accused
persons surrounded the police vehicle and obstructed the police
party in discharging of their official duty and in that process they
succeeded in fleeing away with the apprehended accused, namely,
Suresh Sahani found in intoxicated condition.

It has been submitted by learned counsel for the



petitioner that the petitioner has been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioner. It is a case where the petitioner has protested the arrest of co-accused, namely, Suresh Sahani. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned IXth Additional Sessions Judge, Motihari, East Champaran, in connection with Mehsi P.S. Case No. 48 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)