

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 10262 of 2018

Arising Out of PS. Case No.-125 Year-2017 Thana- Parsa District- Saran

Siya Ram Sahani, Son of Late Parichan Sahani, Resident of Village-
Baligaon, P.S.- Parsa, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin kumar

For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 28-02-2018 Heard Sri Vipin Kumar, learned counsel for the petitioner
and Mr. Md. Arif, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Parsa P.S.
Case No. 127 of 2017 registered for offence under Sections 272,
273 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.

Learned counsel for the petitioner submits that earlier
after noting the fact that petitioner was made accused in the case
had approached the learned Addl. Sessions Judge for grant of
anticipatory bail, but it was dismissed on the plea that it was not
maintainable. Thereafter, he approached this Court by filing Cr.
Misc. No. 53101 of 2017, which was disposed of on
09-11-2017 with observation that if such petition is filed before



the learned Sessions Judge, the learned court below was required to examine the same and pass appropriate order in accordance with law on merit. It was submitted by learned counsel for the petitioner that thereafter, the petitioner approached the court below and by order dated 08-12-2017, the learned Additional Sessions Judge, Saran at Chapra has rejected the prayer for anticipatory bail on merit mainly on the ground that petitioner was shown as F.I.R. named accused. Sri Vipin Kumar, learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case only on the basis of some secret information. He submits that ofcourse recovery of about 20 liter of Mahua liquor was shown from a Palani, but fact remains that petitioner was not having any connection with the same.

Mr. Md. Arif, learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail.

Be that as it may, in view of nature of accusation as well as facts & circumstances, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Siya Ram Sahani 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 Chief Judicial



Magistrate, Saran in connection with Parsa P.S. Case No. 125 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

anay

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

