

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73829 of 2019

Arising Out of PS. Case No.-487 Year-2019 Thana- TURKAULIYA District- East
Champaran

=====

Arun Sahani @ Ramesh Sahni aged about 55 years (M), Son of Late Bukhal Sahani @ Bhul Sahani Resident of Village- Raghunathpur, P.S.- Raghunathpur OP, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-11-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Turkauliya (Raghunathpur) P.S. Case No. 487 of 2019 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Prosecution case is that 31 liters of Nepali liquor has been recovered from Maula ghat near Dhanauti river. It is further alleged that this petitioner was seen fleeing away from that spot.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case simply on suspicion that he was seen fleeing away from that spot. He further submits that the requirement of Section 100 Cr.P.C. has not been followed with respect to search and seizure. Besides, petitioner has no concern with the seized articles and the same has not been recovered from his conscious possession.



Petitioner is having clean antecedent, which fact has been stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the petitioner above named 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 9th Addl. Sessions Judge cum Special Judge Excise Motihari, East Champaran in connection with Turkauliya (Raghunathpur) P.S. Case No. 487 of 2019 on the following conditions:

(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

anay

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

