

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18502 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- RAJEPUR District- East Champaran

Suruj Sahani S/o Late Dhanraj Sahani Resident of Village- Mahmmadpur
Majhauilya Kaswa Tola, P.S.- Rajepur, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rajepur P.S. Case no. 146 of 2019 registered under sections 272,273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on secret information having been received, a raid was conducted. On seeing the police personnel coming it is stated that two accused persons threw the plastic gallon and the bottle they were carrying and managed to escape. They were identified as Suraj Sahani, the petitioner herein and one another. It is stated that a total of 4 litres of country liquor was recovered from the plastic gallon



and the bottle.

It is submitted by learned counsel for the petitioner that neither he was arrested at the spot nor any incriminating article has been seized from the possession of the petitioner. He has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Rajepur P.S. Case no. 146 of 2019, he will be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned 9th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, subject to the conditions as laid down in section 438(2) Cr.P.C.

(Partha Sarthy, J)

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