

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18243 of 2021

Arising Out of PS. Case No.-637 Year-2020 Thana- TURKAULIYA District- East
Champaran

=====

BHOLA SAHANI Son of Ramchandra Sahani Resident of Village-Jhakhiya,
P.S.-Banjariya, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs.Ranjana Srivastava
For the Opposite Party/s : Mr.A.G

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 323, 353, 504, 272,
273, 427 of I.P.C. and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016 and Sections ¾ of Public Property Damage
Act.

The prosecution case, in short, is that 110 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the basis of disclosure made by the local residents as per F.I.R. The name of local residents, who have named the petitioner, has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 110 liters wine is recovered from the house of co-accused. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Special Judge, Motihari, East Champaran in connection with Turkoliya (Banjariya) P.S. case No.637 of 2020, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

Narendra/-

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

