

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4654 of 2021

Arising Out of PS. Case No.-44 Year-2020 Thana- HARLAKHI District- Madhubani

SUBODH SAHANI Son of Chulhai Sahani Resident of Village - Suthgoan,
P.S.- Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Jha Dr.Rajesh Kumar Singh
For the Opposite Party/s :		Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Harlakhi P.S. Case No. 44 of 2020 registered for the offence punishable under Sections 341, 323, 504, 379/34 of the IPC and section 30(a) of the Bihar Prohibition and Excise Act.

Altogether 36 liters of Nepali liquor is said to have been recovered from the possession of the petitioner and other



accused persons. It is alleged that while the smugglers of illicit liquor were carrying the liquor, informant and others chased them but the accused persons assaulted them in the presence of police party. In the meanwhile, they also snatched Rs.20,000/- and key of motor cycle from one villager of informant's side.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. No allegation of any overt act has been leveled upon the petitioner. He has been falsely implicated in this case showing him as a member of the mob who along with others assaulted the informant and villagers. There is a general and omnibus allegation of assault against the petitioner but none has received any injury. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 16.10.2020.

Petitioner is agreed to deposit a sum of Rs. 1,000.00 (Rupees One Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.



Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Harlakhi P.S. Case No. 44 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.1,000.00 (Rupees One Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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