

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8012 of 2021

Arising Out of PS. Case No.-205 Year-2020 Thana- PAKRIDAYAL District- East Champaran

1. SIKINDAR SAHANI son of Late Gandhi Sahani @ Kodai Sahni Resident of Village - Jagatiya, P.S. - Pakaridayal, District - East Champaran.
2. PRATAP SAHANI Son of Maithur Sahani Resident of Village - Jagatiya, P.S. - Pakaridayal, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. A. PP.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2021 It is submitted by learned counsel for the petitioners that he seeks permission to withdraw this application.

Permission is granted.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 2.

Heard learned counsel for the petitioner no. 1 and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner no. 1 apprehending his arrest in



connection with Pakaridayal P.S. Case no. 205 of 2020 instituted for the offence under Sections 30(a) of the Indian Penal Code.

As per prosecution story, petitioner is involved in manufacturing and selling of illicit liquor. On search, 35 litres of illicit country made liquor has been recovered from a cowshed near the house of co-accused Pratap Sahani.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the alleged recovery rather the alleged recovery has been made from the cowshed of the co-accused. Neither the petitioner was arrested from the spot nor anything has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 1 on bail. The petitioner no. 1, namely, Sikindar Sahani is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Pakaridayal P.S. Case no. 205 of 2020, he will be enlarged on



bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge under Excise Act, East Champaran, Motihari subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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