

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11884 of 2022**

Arising Out of PS. Case No.-195 Year-2021 Thana- JADOPUR District- Gopalganj

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BHUSHAN SAHANI @ BHUSHEN SAHANI, aged about 40years, Gender- Male, Son of Late Moti Lal Sahani, Resident of Village - Khawejepur, P.S. - Jadopur, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Pritish Ranjan, Advocate

For the Opposite Party : Mr. Pramod Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      25-03-2022                      Heard learned counsel for the petitioner and learned counsel for the State through Virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Jadopur P.S. Case No. 195 of 2021 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 493.2 liters wine is recovered from the boat.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that 493.2 liters wine is recovered from the boat. The boat in question does not belong to the petitioner. The name of the petitioner has transpired in the present case on the basis of disclosure made by local *Choukidar*. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional District and Sessions Judge-cum-Special Excise Court No. 1, Gopalganj, in connection with Jadopur P.S. Case No. 195 of 2021, subject to the conditions as



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

**(Sudhir Singh, J)**

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