

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17186 of 2022

Arising Out of PS. Case No.-444 Year-2021 Thana- DHAKA District- East Champaran

BRAHAMDEO SAHANI Son of Bipat Sahani Resident of Village-
Mahuawa, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30 (a), 41 of the Bihar Prohibition & Excise Act.

As per the prosecution case, 370 of Nepali liquor has been recovered from a motor cycle and co-accused, Ladle Alam was apprehended on the spot who disclosed the name of petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. Petitioner is neither driver nor owner of the vehicle in question. Petitioner has got clean



antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, East Champaran, Motihari in connection with Dhaka PS case No. 444/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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