

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19541 of 2022

Arising Out of PS. Case No.-897 Year-2021 Thana- TURKAULIYA District- East
Champaran

DUKHAN SAHANI Son of Vipat Sahani R/o village - Jhakhiya Naya Tola,
P.S.- Banjariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegation is of recovery of 90 litre of liquor from an e-rickshaw from which one Kundan Soni was arrested and he disclosed that the liquor was given to him by the petitioner for the purpose of selling.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case under the Excise Act. Learned counsel further submits that admittedly the petitioner was not apprehended from the spot, as such, nothing was



recovered from the conscious possession of the petitioner and the vehicle does not belong to the petitioner and his name transpired in the confessional statement of co-accused which has no evidentiary value.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Turkauliya (Banjariya) P.S. Case No. 897 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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