

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26848 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- KATRA District- Muzaffarpur

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MUKESH SAHANI @ MUKESH KUMAR Son of Jai Narayan Sahani
Resident of Village - Tenwara, P.s.- Katra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Indira Kumari, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2022 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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 180 liters of liquor from petitioner's house.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that police in mechanical manner is falsely implicating persons alleging that recovery of liquor is being made from their house but the police does not even inquire whether the house is a joint family property or not. Learned counsel next submitted that the



house from where the alleged recovery has been shown is a joint family property as such it cannot be alleged that it was the petitioner who was responsible for keeping the liquor in the house, it is next submitted that petitioner's name transpired based on secret information which amply demonstrates that the implication was false as it is very easy to implicate someone based on secret information which is never disclosed.

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. 2,000/- (Rupees Two 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 Katra P.S. Case No. 274 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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