

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28560 of 2022**

Arising Out of PS. Case No.-325 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

Rambabu Sahni, Son Of Yogal Sahni Resident Of Village- Sanathi, P.S.-
Bochaha, District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 12-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272
and 273 of the I.P.C. and Sections 30(a) and 37(c) of the Excise
Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 02 litre of liquor from the plastic box from the
house of the petitioner.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that the house is a joint family property, as such, it cannot be
alleged that it was petitioner, who had kept the liquor in the
house. It is also submitted that the petitioner came to be



implicated based on secret information. It is thus submitted that if the house was the exclusive property of the petitioner, then someone in the village would have disclosed about the same, but the same is not the case in the present case.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bochaha P. S. Case No.325 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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