

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28603 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- MOTIPUR District- Muzaffarpur

BHOLA SAHANI Son of Late Ramadhar Sahani Resident of Village -
Gehuachak @ Bariyarpur Tole, P.S.- Motipur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code read with Sections 30(a) and 36 of the
Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 25 litre of country made
liquor from the house of Most. Premiya Devi and unspecified
Jaggery solution was found in the tank of toilet which was
destroyed.

Learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. He further submits that even the alleged recovery was made from a place which did not belong to the petitioner and he came to be implicated at the instance of the local Chawkidar with whom he is on an inimical term.

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 Motipur P.S. Case No. 53 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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