

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35482 of 2022

Arising Out of PS. Case No.-74 Year-2022 Thana- BENIPATTI District- Madhubani

Mukesh Sahni S/o Late Pulkit Sahni R/o village- Bishanpur Deoghata Chowk,
P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Benipatti P.S. Case no. 74 of 2022 instituted for the offence under Sections 272, 273 of Indian Penal Code and section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of a meagre quantity of 5.00 litres illicit liquor from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The petitioner has clean antecedent. Petitioner has no concern with the alleged recovery. Neither the petitioner was arrested nor any



incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the fact that the recovery of very meagre quantity, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Benipatti P.S. Case no. 74 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd -Cum-Special Judge, Excise Act, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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