

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35433 of 2022

Arising Out of PS. Case No.-781 Year-2021 Thana- SARAIYA District- Muzaffarpur

KAMAL SAHNI @ KAMAL SAHANI SON OF SURENDRA SAHNI R/O
VILLAGE- LAKSHMIPUR, P.S.- SARAIYA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Sucheta Yadav

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 Saraiya P.S. Case no. 781 of 2021 instituted for the offence under Sections 272, 273/34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 35 litres of illicit desi chulai liquor kept in gallon from the filed of Balmiki Singh.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of



occurrence. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

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

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, 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 Saraiya P.S. Case no. 781 of 2021, 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 Exclusive Spl. Judge, Excise Court no. II, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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