

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39922 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- AHYAPUR District- Muzaffarpur

Shatrughan Sahni, S/O- Late Haruni Sahni Resident Of Village - Dadar, P.S.-
Ahiyapur, District - Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2022 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,
273 of the I.P.C. and Section 30(a) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 10 litres of liquor from the petitioner's house.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that even the house is a joint family property and police in a
mechanical manner implicated the petitioner without holding
any inquiry as to whether the house belongs to the petitioner



exclusively or not. It is next submitted that the petitioner came to be implicated based on secret information which is the easiest way to implicate a person.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the present anticipatory bail application.

Permission is accorded.

However, in the event, if the petitioner surrenders before the learned trial Court on or before 15.09.2022, then the learned trial Court shall, on the same day, dispose of the bail application keeping in mind that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he is a person with clean antecedent.

Accordingly, instant petition is dismissed as withdrawn with the aforesaid observation.

(Satyavrat Verma, J)

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