

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52155 of 2021

Arising Out of PS. Case No.-126 Year-2021 Thana- PIPRAKOTHI District- East Champaran

Lalan Sahani @ Lalan Kumar, aged about 45 years, Male Son of Fulan Sahani @ Fulena Chaudhary, Resident of Village- Hathiyahi, P.S.- Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 17-02-2022 Heard the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Piprakothi P.S. Case No. 126 of 2021 instituted for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Sections 30(a), 30 (c) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner cannot be said to be involved in the case as his name has been mentioned by the other co-accused who was caught with the liquor at the spot. Learned counsel submits that the petitioner does not have any criminal antecedent and has been falsely implicated in the instant case, even the pick-up vehicle was not owned by him.

Taking into consideration that Section 30(a) of the Act is not made out against the petitioner, I am inclined to allow the petitioner on bail, in the event of arrest he shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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