

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46928 of 2022

Arising Out of PS. Case No.-371 Year-2020 Thana- PIPRAKOTHI District- East Champaran

SUNIL SAHNI @ SUNIL CHAUDHARY SON OF VIRENDRA
CHAUDHARY R/O VILLAGE- HATHIYAH TIKULIYA, PS.- PIPRA
KOTHI, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.3, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 61.14 litre from a place adjacent to petitioner's hut.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted that alleged recovery was made from a place which
does not belong to the petitioner as has been specifically stated



at Para-7 of the anticipatory bail application, it is also submitted that petitioner came to be implicated at the instance of the S.H.O., who claims that an information was received regarding the petitioner but does not disclose the source of information which amply demonstrates that to save the real culprits.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kothi P.S. Case No. 371 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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