

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47698 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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RAMESH SAHANI S/O LATE BANTI SAHANI Resident of village- Rulahi,
P.S.- Muffasil, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Learned counsel for the petitioner seeks
permission to make rectification in the prayer portion of the
anticipatory bail application.

Permission is accorded.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(b)
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 70 litre of semi-prepared jaggery solution



which was destroyed from the petitioner's house.

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 the house, in which the petitioner leaves, is a joint family property, as has been pleaded in Para-7 of the anticipatory bail application, it is also submitted that since house is a joint family property as such to allege that it was the petitioner who had kept the jaggery solution in the house is not justified, it is also submitted that petitioner came to be implicated based on secret information which is the easiest mode of implicating an accused person.

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. 1,000/- (Rupees One Thousand) 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 Muffasil P.S. Case No. 47 of 2022 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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