

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53925 of 2022

Arising Out of PS. Case No.-684 Year-2022 Thana- TURKAULIYA District- East
Champaran

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JITENDRA SAHANI @ JITENDRA KUMAR SON OF RAMJANAM
SAHANI R/O VILLAGE- JHAKHIYA, P.S.- BANJARIYA, DISTRICT-
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2022 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 Sections 272, 273 and 34 of the Indian Penal Code and Sections 30 (a) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 119.50 liters of beer kept in cartoons in a Santro car.

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 also submitted that the alleged car does not belong to the petitioner



nor petitioner was the driver of the vehicle and he came to be implicated based on confessional statement Bhushan Rai who is alleged to be the driver of the Santro car, it is submitted that confessional statement does not have any evidentiary value that too in police custody.

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. 10,000/- (Rupees Ten 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 Turkauliya P.S. Case No. 684 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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