

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54236 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

LALBABU SAHNI Son of Asharfi Sahni Resident of village - Harser, P.S.-
Siwaipatti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Siwaipatti P.S. Case no. 137 of 2021 instituted for the offence under Sections 272, 273, 120(B)/34 of the Indian Penal Code and Section 30(a)(b)(c) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 100 liters illicit country made liquor from forest which is situated near Gandak River.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. Petitioner has no concern with the



alleged recovery illicit liquor. The place of occurrence is an open place and the petitioner has no concern with it. The name of the petitioner has been disclosed in this case on information of local Chaukidar. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Siwaipatti P.S. Case no. 137 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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