

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57505 of 2022

Arising Out of PS. Case No.-387 Year-2022 Thana- SAKRA District- Muzaffarpur

KISHUN SAHNI Son of Bijnath Sahni @ Brijnath Sahni Resident of Village
- Mohanpur, P.S.- Kalyanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 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 Sakra P.S. Case no. 387 of 2022 instituted for the offence under Sections 467, 468, 471, 420/34 of the IPC and Section 30(a),32,36,41 of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 1260 litres of IMFL from a pick-up van and four persons were apprehended on spot and two managed to escape including the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the vehicle in



question. The name of the petitioner has been disclosed in this case by the apprehended co-accused person before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his 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 Sakra P.S. Case no. 387 of 2022, 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 Judge, 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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