

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69834 of 2022

Arising Out of PS. Case No.-342 Year-2022 Thana- KUDHNI District- Muzaffarpur

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Jai Prakash Kumar Sahni @ Jai Prakash Kumar Son of Baidhnath Sahni
Resident of Village - Mantola, Madhaul, P.S.- Maniyari, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 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, 420, 467, 468, 471, 414 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 1346.04 litres liquor from a truck.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of apprehended



accused in police custody which does not have any evidentiary value, it is also submitted that the petitioner is neither the owner nor the driver of the alleged vehicle.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kudhani P.S. Case No. 342 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedent and if it is found that petitioner has antecedent of more than one case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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