

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72265 of 2022

Arising Out of PS. Case No.-869 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Sunil Sahani, S/O Chhathu Sahani R/V- 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. Dhurendra Kumar
For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272,
273 of the I.P.C. and Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and the allegation is of
recovery of 10 litres of liquor and 2.5 litres of beer from a husk
hut near Khadwa bridge.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered. It is also submitted that the hut does not belong to the
petitioner and he came to be implicated because of his



antecedent by the police through anonymous local people.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Turkauliya (Banjariya) P. S. Case No.869 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has more than two criminal antecedent, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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