

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72025 of 2022

Arising Out of PS. Case No.-923 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Laxman Sahani, Son Of Prabhu Sahani @ Rambabu Sahani R/O Vill.-
Chailaha Kothi, P.S.- Banjariya, Distt.- 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
For the Opposite Party/s : Mr. Nand 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 414/ 34 of the I.P.C. and Sections 30(a), 32, 41(i) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 36 litres of liquor from a sack kept on a motorcycle.

The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is also submitted that he came to be implicated based on confessional statement of Sonelal Kumar in police custody which does not have any evidentiary value. It is next submitted that petitioner is neither the owner, nor the driver



the alleged vehicle.

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. 1,000/- (Rupees One 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.923 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 any criminal antecedent, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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