

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9955 of 2023

Arising Out of PS. Case No.-735 Year-2022 Thana- KANTI District- Muzaffarpur

BIRENDRA SAHNI S/O SARYUG SAHNI R/v- Kothiyan, P.S.- Kanti,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections, 147, 148, 149, 341, 342, 353, 307, 427 of Indian Penal Code and 37 and 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the accused persons, in drunken state, attacked on police personnel causing injury to them.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. There is no recovery of liquor in the present case. The name of the petitioner has transpired as one of the



apprehended persons in drunken state disclosed the name of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge Excise Court-I, Muzaffarpur in connection with Kanti P.S. case No. 735 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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